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1.01 EQUAL EMPLOYMENT OPPORTUNITY

PURPOSE

To ensure that all employees, applicants and customers of the City are treated equitably and fairly and to ensure that the City complies with all Equal Employment Opportunity (EEO) laws.

POLICY

The City is an equal opportunity employer. The City does not allow discrimination against any person in job structuring, recruitment, examination, selection, appointment, placement, training, upward mobility, discipline, or any other aspect of employment on the basis of race, color, religion, national origin, sex, disability, age, or any other manner that violates the law.

CAUTION

The City prohibits retaliation or discrimination against any employee for opposing an unlawful or discriminatory employment practice, or for alleging or participating in an investigation of an allegation of discrimination.

This policy does not, in any way, establish a contractual agreement for employment between the City and the employee.

RELATED POLICIES AND PROCEDURES

EFFECTIVE DATE November 9, 2000

1.02 DEFINITIONS OF EMPLOYMENT STATUS

PURPOSE

To help provide uniformity and equity in applying Human Resources policies and benefits.

POLICY

The City maintains standard definitions of employment status and classifies employees for purposes of Human Resources benefits and salary administration and related payroll transactions.

DEFINITIONS

This policy does not, in any way, establish a contractual agreement for employment between the City and the employee.

Exempt - Employees whose positions meet specific tests established by the FLSA (Fair Labor Standards Act) and state law and who are exempt from overtime pay.

Non-exempt - Employees whose positions do not meet FLSA exemptions tests and who are compensated at time and one half rate of pay for overtime, as required by federal and state law.

Regular Full-time - A regular full-time employee is appointed to a regular status position and is regularly scheduled to work 40 hours per week.

Regular Part-time - A regular part-time employee is appointed to a regular status position and is regularly scheduled to work at least 10 but fewer than 40 work hours per week.

Temporary - A temporary employee is usually hired for a pre-established period. Temporary employees are paid on an hourly basis and are not eligible to receive any benefits.

Intern - VOE - An intern or VOE employee is a temporary part-time or full-time employee who is currently enrolled full-time in high school or at a college or university. Employment normally is reviewed and renewed or terminated each semester and may last beyond one year. Students employed as interns normally receive grade credit(s) for their internship. Interns may be hourly or unpaid employees.

**ASSIGNED
STAFF**

Staff who are assigned to the City but are paid directly by another government or private organization are not employees of the City. These employees' benefits are specified in the contract for services. As a condition of their assignment, such staff is governed by all terms of these policies not in conflict with their contract for services.

**RELATED
POLICIES AND
PROCEDURES
EFFECTIVE
DATE**

November 9, 2000

1.03 RECRUITMENT AND SELECTION

PURPOSE

To establish uniform employment policies and procedures for recruiting, selecting and retaining a qualified and competent workforce that reflects the diversity of the community.

POLICY

When a vacancy occurs, the appropriate supervisor and the Human Resources Department will work together to develop a job posting and to identify appropriate recruitment methods.

RECRUITMENT AND SELECTION

The City has four methods of recruiting and selecting persons to fill vacancies:

1. Promotion from within;
2. Lateral transfer from within;
3. Public announcement and competitive consideration of applications for employment; and
4. Selection from a valid eligibility list. A valid eligibility list is a list of applicants for the same or a similar position for which applications were sought within the past year. The Department Director determines the method(s) of selection to be used in filling each vacancy.

PUBLIC POSITION ANNOUNCEMENT

The City only accepts applications for posted positions. Only applicants selected for an interview will be notified when a decision has been made.

Public announcements of position openings at the City, for which there will be competitive consideration, are disseminated by the Human Resource Director in the manner most appropriate for the particular position being filled, as determined by the hiring supervisor. Hiring supervisors must submit relevant information about the position to the Human Resource Director, who ensures that job-opening announcements are made public through publication in a local newspaper and posting at the City administrative offices.

Current employees may apply for positions for which they believe themselves to be qualified. If selected for the position for which he or she applied, a City employee may transfer to another City position without loss of pay provided that his or her current pay is within the limits set by the City Council for the transfer position.

MINIMUM REQUIREMENTS

Human Resources and the hiring supervisor will determine the length of time during which applications will be accepted for a vacant position.

The City maintains a job description, which establishes the required knowledge, skills, and abilities for each position and the acceptable levels of experience and training for each. The job description sets forth the minimum qualifications required to fill the position.

To be considered for a position, an applicant must submit a completed City of Round Rock application or resume; consistent with stated requirements on job vacancy notice.

- An applicant must apply for a specific job on the City's current job posting lists. Applications will not be accepted for any positions not posted.
- Applicants must submit a separate application and attachments (certificates, etc.) for each position for which they are applying.
- All materials submitted for consideration will be considered the property of the City of Round Rock and will not be returned.

Applicants selected for employment must have on file a completed City application, prior to beginning employment.

EVALUATION OF APPLICANTS

Reference checks, interviews, medical examinations, background checks, job related testing, and/or other screening procedures may be used as appropriate.

Applicants shall be required to provide any information and undergo any examination necessary to demonstrate competency and ability to perform the requirements of the position.

TESTING

Except for drug and psychological tests for certified police and fire employees and any other tests that may be required by state law, the only performance tests administered for employment or promotion are specifically job related ("piece-of-the-job") tests (e.g., typing, operating a computer, operating a piece of equipment, lifting a heavy item which is regularly required to be lifted in the job, tabulating columns of numbers, providing writing samples, etc.). The City conducts pre-employment qualification testing for certain jobs. The tests vary based on the required qualifications for the particular job. Reasonable accommodations will be made for applicants with a disability if a request for such an accommodation is made in advance of a test.

Offers of employment will be conditioned upon the applicant's successfully passing a drug test. All required psychological, drug, and physical tests are paid for by the City. Any subsequent services needed as a result of the tests, however is the full responsibility of the applicant or employee.

DISQUALIFICATION

An applicant is disqualified from consideration if he or she:

- does not meet the minimum qualification necessary for performance of the duties of the position involved;
- has knowingly made a false statement on the application and/or any materials submitted for consideration for employment;
- has committed or attempted to commit a fraudulent act during the selection process;
- is not legally permitted to hold the position;
- has failed to submit the application correctly or within the prescribed time limit;
- is not the most closely matched candidate in the pre-determined criteria.

Or

In the past three (3) years, has:

- had an alcohol test with a result of 0.04 or higher alcohol concentration;
- had a verified positive drug test;
- refused to be tested (including verified adulterated or substituted drug test results);
- violated any other DOT agency drug and alcohol testing regulations;
- had a previous employer report a drug and alcohol rule violation to you;
- violated the alcohol and controlled substances prohibitions under subpart B of part 382 of the Federal Motor Carrier Safety Administration Regulations, or 49 CFR subpart B.

SELECTION

In accordance with the City Charter, the City Council appoints and may remove the City Manager, City Attorney, and Municipal Court Judge.

Except for appointments reserved to the City Council by statute, ordinance, or charter, the City Manager has exclusive authority to select and employ all City employees. The City Manager may authorize supervisors to appoint and remove employees within their departments, subject to the limits of these policies and the City budget. Other supervisors may be asked for recommendations as appropriate.

Neither the City Council nor any of its members shall in any manner dictate the appointment or removal of any City employee whom the City Manager or any of his or her subordinates is authorized to appoint. However, the Council or its members may express freely to the City Manager their views and opinions on such matters.

INTERNAL PROCEDURES

To fill a vacant position the hiring supervisor must submit a completed "Request to Post" to begin the hiring process.

Human Resources completes a job posting and submits to supervisors for review and approval. The position is posted externally for ten working days or until filled or internally for at least five working days. Applications received by the closing date are logged and submitted to the supervisor for review.

Hiring supervisor will conduct a valid, job related employment review of applications. Supervisors will contact selected applicants and schedule interviews. If unable to contact an applicant by telephone, a letter notifying the applicant of unsuccessful attempts to contact him/her for an interview should be sent.

Hiring supervisor will make the final selection after all interviews and appropriate testing has been completed.

OFFER OF EMPLOYMENT

Human Resources must approve a salary offer that is greater than the minimum wage for the position classification.

The hiring supervisor will make a verbal conditional offer of employment followed by a written offer of employment. The offer is conditional until the applicant passes a pre-employment drug screen and any other previously identified pre-employment tests. The applicant must also provide proof of employment eligibility as prescribed by rules adopted by and on forms provided by the Immigration and Naturalization Services.

- Applicants must take a drug screen within 48 hours of the verbal offer.
- The Human Resources Department will contact the hiring supervisor when the results are received.
- The hiring supervisor makes final offer and follows up in writing. Applicant is notified that proof of eligibility to work in the United States must be furnished and complete the I-9 form within 72 hours of start date. No person will be retained after the 72 hour period that is unable to provide proof of employment eligibility.
- The hiring supervisor is to send the completed Personnel Action/Position Control Form, all applications and attachments, and interview notes to the Human Resources prior to the applicant's start date.
- The hiring supervisor should notify applicants who were interviewed but not

selected for employment.

The completed job selection packet will be retained by Human Resources for the remainder of the fiscal year, plus two years, consistent with the State Records Retention Schedule.

**RELATED POLICIES
AND PROCEDURES
EFFECTIVE DATE**

8.03 Promotions

November 9, 2000

1.04 MAINTAINING APPLICANT FILES

DOCUMENTATION

It is extremely important that documentation of the entire hiring process be maintained **for each vacant position**. If a hiring decision is challenged and an investigation undertaken by the Texas Commission on Human Rights (TCHR) or the Equal Employment Opportunity Commission (EEOC), hiring supervisors will be required to provide documentation of the hiring process to address the charge.

WHAT TO KEEP

The documentation will be reviewed to determine if there were any discriminatory hiring practices involved in selecting the person to fill the vacancy. In addition, the division may be required to provide the same information for all hiring decisions covering a period the TCHR and/or EEOC regard as appropriate.

The hiring supervisor should develop and retain the following documentation of the hiring process to be forwarded to Human Resources for inclusion in the official job posting file:

- copies of all written correspondence with the applicant including the official offer letter;
- all documentation of the screening process;
- all copies of the interview questions in addition to the responses of each applicant interviewed;
- telephone reference contact form(s), if applicable;
- any other information pertinent to the hiring process; and
- all applications for position.

EQUAL EMPLOYMENT OPPORTUNITY

The hiring supervisor is ultimately responsible for ensuring that all hiring decisions are made according to the principle of equal employment opportunity without regard to race, color, sex, religion, national origin, age, disability, or any other manner that violates the law.

RECORDS RETENTION RELATED POLICIES AND PROCEDURES EFFECTIVE DATE

Documentation will be maintained in Human Resources for the remainder of the fiscal year plan plus two calendar years.

November 9, 2000

1.05 EXCEPTIONS TO POSTING REQUIREMENTS

SUBSEQUENT VACANCIES

When a position has been posted and a subsequent vacancy for a similar position occurs in the same division within 60 calendar days after the original position has been filled; the subsequent vacancy may be filled from the same applicant pool without posting. This provision may be applied only when the previously posted classification(s), qualifications and primary job functions are similar to those required for the subsequent vacancy.

POSITION VACATED WITHIN 60 DAYS

The position is filled according to the standard hiring procedures.

When a position has been filled and the employee vacates the position within 60 calendar days of the initial date of hire, the hiring supervisor may elect to fill the vacant position from the original applicant pool without posting the position.

POSITION DELETION

The position is filled according to the standard hiring procedures.

An employee may be transferred to a vacant position without the position being posted if the budgeted position the employee currently occupies is being eliminated and the employee is currently meeting the performance standards and meets the minimum qualifications of the vacant position.

TRANSFER TO

The Department Director may transfer an employee to a vacant position or transfer

**VACANT OR TO
UNPOSTED
POSITION**

an employee's budget position without posting if it is determined necessary to meet the business needs of the City or due to unusual situations.

Such unusual situations may include, but are not limited to:

- Department reorganization;
- Reduction in work force;
- Reclassification of an occupied position as a result of a job audit;
- Reasonable accommodation of an employee due to health or disability; or
- Addressing resolution of a grievance or related agreement.

**EMERGENCY
APPOINTMENTS**

Transfer to a lower pay grade: In some instances, if the employee is transferred to a lower pay grade, the employee may retain the same salary without loss in pay. This action must be approved by Human Resources.

Due to the number of vacant positions in a particular classification or to the workload, a supervisor may waive the interview process. This exception must be approved by Human Resources.

**TEMPORARY
EMPLOYMENT**

The request for the exception must include the justification as well as an explanation as to what criteria will be used to support the validity of the waiver.

Subject to the availability of funds, temporary employment may be made without posting if the assignment is not to exceed six months. A memo outlining the specific project(s) and/or job duties of the position should be submitted to Human Resources prior to making an offer of temporary employment. This will maintain the integrity of the Pay and Classification Schedule.

**RELATED
POLICIES AND
PROCEDURES
EFFECTIVE
DATE**

November 9, 2000

1.06 EMPLOYMENT OF RELATIVES (NEPOTISM)

PURPOSE

To establish guidelines to promote a work atmosphere conducive to accomplishing goals and to minimize the possibility of conflicts between personal relationships and an employee's duties and responsibilities to the City.

POLICY

Nepotism is the showing of favoritism toward a relative. The City forbids the practice of nepotism in hiring personnel or awarding contracts.

Relatives of Officials

No person related, within the second degree by affinity or within the third degree by consanguinity to the Mayor in any member of the City Council or City Manager should be employed or appointed to any office position or clerkship of the City.

This prohibition shall not apply, however to any person who shall have been employed by the City at least two (2) years prior to and at the time of the election or appointment of the officer related in the prohibited degree.

Relatives of City Employees

No employee may directly supervise or be supervised by a member of his/her family who is related within the second degree of affinity or the third degree of consanguinity.

No employee may hold a job where the employee exercises supervisory authority over the work, assignments, working condition, and/or compensation/benefits of any individual who is related within the second degree of affinity or the third degree of consanguinity.

Relatives may not be employed in a position whereby they would share the same immediate supervisor.

An employee may be promoted to a position which would place that individual in the line of supervision over an above mentioned relative, as long as the employee is not the immediate supervisor of said relative. In addition, in the interest of effective management, no manager may make any decision which affects the employment status of an above mentioned relative within his or her line of supervision unless the decision applies unilaterally to a group of employees in the same classification or job category also in line of supervision of that supervisor.

In no instance may an individual be promoted to a position wherein that person would immediately supervise or be supervised by an above mentioned relative.

The City will employ married partners and relatives only in accordance with this policy.

RELATIONSHIP CHARTS	Relationship to: Employee/Officer (Consanguinity Kinship - Blood)	<u>1st Degree</u> Father Mother Daughter Son	<u>2nd Degree</u> Brother Sister Grandfather Grandmother Granddaughter Grandson	<u>3rd Degree</u> Uncle Aunt Niece Nephew Great Grandfather Great Grandmother Granddaughter Great Grandson
RELATIONSHIP CHARTS CONTINUED	Employee's Spouse (Affinity Kinship - Marriage)	<u>1st Degree</u> Father Mother Daughter Son	<u>2nd Degree</u> Brother Sister Grandfather Grandmother Granddaughter Grandson	

**RELATED
POLICIES AND
PROCEDURES
EFFECTIVE
DATE**

November 9, 2000

1.07 EMPLOYMENT OF MINORS

PURPOSE

To establish guidelines to occasionally hire minors during school breaks, at peak work periods, or on an internship basis.

POLICY

Regular, full-time, employees of the City must be 18 years of age or older. On occasion, the City may hire individuals who are 16 or 17 years old, but this is done only under special conditions and must be approved by the Human Resources Department.

RESTRICTIONS

Minors who are 15 years of age will be hired by the City only if they are active participants in a school's vocational education program or other similar official program or for temporary seasonal employment.

Required Permission

Minors must have parental permission before they can begin work with the City. The permit shall be filed in the Human Resources Department.

Number of Hours Worked

- Minors who are high school graduates or have a certificate of high school proficiency may work the same hours as adults.
- When school is in session, minors who attend school may work no more than 18 hours per week, unless they have received written permission from school authorities to work up to eight hours in addition to school time on any day immediately prior to a non-school day.
- Minors under the age of 17 who have not graduated or achieved a certificate of proficiency may work no more than eight hours per day and no more than 40 hours per week when school is not in session.

Hours of Work

Workers the age of 15 may work between 7a.m. and 7 p.m. between Labor Day and June 1 and not after 9 p.m. between June 1 and Labor Day.

Types of Work

Minors under the age of 18 may not drive a motor vehicle.

Before minors are allowed to operate any equipment they must obtain permission from Human Resources.

Minors may not perform any job declared hazardous.

Wages

Regardless of age, minors must be paid at least minimum wage. If working the same hours as an adult, high school graduates or minors with a certificate of proficiency must be paid rates which are in line with those of adults in similar positions.

RELATED POLICIES AND PROCEDURES EFFECTIVE DATE

November 9, 2000

1.08 RE-EMPLOYMENT

PURPOSE

To establish provisions relating to the re-employment of former City employees.

POLICY

The City does not guarantee that a former employee will be selected to fill the position held at the time of separation.

SELECTION PROCESS

(Generally returning Fire and Police certified employees may only be re-employed at the entry level firefighter or police officer rank, respectively.)

Former employees seeking re-employment may be considered for employment as members of the general public. However, special consideration will be given to past job performance, the circumstances surrounding termination of previous employment, and the former employee's knowledge of the City's procedures and functions.

The selection process may be waived for a former employee who is separated in good standing within a year following separation with prior approval of the Department Director. The individual must be qualified to perform the duties of the position and a position must be available. Such reinstatement as an employee must be in the best interest of the City.

SPECIAL PROVISIONS

Hiring supervisors are strongly encouraged to conduct a reference check with the former supervisor of the individual seeking to be re-employed. At the very least, the Official Personnel File of the individual should be reviewed.

Lay-Off - A regular employee who is laid off may be routinely recalled to work at any time.

LIMITATIONS

Veterans - Employees who left City service to enter duty with the Armed Forces of the United States shall be eligible for reinstatement in accordance with applicable state and federal laws.

- The supervisor will determine eligibility for re-employment at the time of separation. Human Resources should have an opportunity for input related to the employee's re-employment status.
- Employee's re-employed after a break in service will receive a new date of hire. A break in service is defined as being completely separated from employment and not receiving any wages or benefits (except COBRA) for at least one full pay period or cycle.
- Former regular status employees who are re-employed by the City within one year after separation will have 50% of their sick leave balance at the time of resignation restored and will be eligible to use accrued vacation leave immediately. Vacation leave will accrue at the rate of four hours per pay period for non-firefighter personnel, and seven hours per pay period for firefighter personnel.

RELATED POLICIES AND PROCEDURES EFFECTIVE DATE

November 9, 2000

1.09 TRAVEL/MOVING EXPENSES

PURPOSE

To establish guidelines within which the City will pay travel cost of applicants or costs to relocate new employees enabling the City to recruit and hire the best-qualified candidates.

POLICY

The Department Director may approve travel and/or moving expenses involving applicants, new employees, or transferred employees for reimbursement, with approval from the City Manager.

Reimbursements are determined on a case by case basis and approval is dependent on market demands and business needs of the City. Applicants or new employees who are traveling to Round Rock to interview for a specific position or who are moving to Round Rock for the express purpose of commencing employment with the City may be considered for reimbursement.

The allowable expenses include direct cost for:

- any out-of-pocket expenses incurred during the recruitment and interviewing phases of recruitment;
- moving company or transportation charges;
- meals and motel expenses during the actual move;
- temporary housing; and
- demonstrated expenses.

The City Manager may determine applicability and maximum allowable amounts on a case by case basis.

**RELATED
POLICIES AND
PROCEDURES
EFFECTIVE
DATE**

November 9, 2000

1.10 RESIDENCY

PURPOSE

To improve the quality of life by maintaining an equitable balance between work and family.

POLICY

The City of Round Rock does not require residency within the municipal limits as a condition of employment except as may be required by Charter or City Code.

RELATED POLICIES AND PROCEDURES

EFFECTIVE DATE

November 9, 2000

1.11 PERSONNEL RECORDS AND PRIVACY

PURPOSE

To establish standards by which information contained in personnel records will be managed with integrity to achieve accuracy, privacy and legal compliance.

POLICY

The Human Resources Department will maintain the official personnel records containing information on each City employee to meet state and federal legal requirements and to ensure efficient personnel administration.

PERSONAL DATA CHANGES

Changes of address, telephone number and/or family status (births, marriage, death, divorce, etc.) must be reported to the Human Resources Department, as an employee's income tax status and group insurance may be affected by these changes.

STATUS CHANGES

Supervisors shall report changes in the employment or compensation status of employees on the Personnel Action/Position Change Form in accordance with Human Resources Department procedures.

CONTENTS OF PERSONNEL FILES

Regular Personnel Files:

An employee's official personnel file may contain the following:

- an employment record;
- a copy of the employee's application for employment/resume;
- a copy of the employment offer letter and acceptance;
- a signed copy of the employee's acknowledgment of having reviewed a copy of the Human Resources Policies and Procedures Manual;
- employee's job description(s);
- election to disclose or keep confidential certain personal information;
- personnel action/position change forms;
- records of any citations for excellence, awards for good performance, or job related training/education;
- records of disciplinary action(s);
- performance evaluations;
- copies of any grievances and related materials;
- agreements regarding compensatory time off in lieu of overtime pay;
- any other pertinent information having a bearing on the employee's status; and
- any written statements from the employee explaining, rebutting, or clarifying other items in the file.

Confidential Personnel Files:

- Medical records
- Documents necessary for the administration of the City's benefit programs
- Employment references

Separate Personnel Files:

These files may be examined only by appropriate officials with authority to conduct an investigation:

- Workers Compensation files which contain reports of on-the-job incidents and injuries;
- Any investigatory information related to an employee;
- I-9 forms which establish an individual's eligibility for employment; and
- Medical records

FILE ACCESS

Personnel files and information may not be used or divulged for purposes not connected with the City personnel management system except with the permission of the employee involved.

Access to an individual employee's personnel file is restricted to the employee or his/her designated (in writing) representative, authorized employees of the Human Resources Department, and supervisors or managers on a strictly "need to know" basis. Personnel files may not be removed from the Human Resources Department and can only be reviewed in the Human Resources Department with a Human Resource representative present.

**REVIEW OF
PERSONNEL
FILES**

Inspection of an employee's personnel file may be accomplished at reasonable times during office hours under the following conditions:

Employees may examine their files at any time. No prior notice or appointment is necessary. The file must be reviewed in Human Resources. Employees may obtain a copy of any and all documents in the file; however, nothing may be removed from the file by anyone other than Human Resources staff.

Supervisors may examine active and separated employee files on a "need to know" basis. An appointment to review the file should be made with the Human Resources Department.

Government Inquiries - The Human Resources Department will cooperate with federal, state and local government agencies investigating an employee if the investigators furnish proper identification and proof of legal authority to investigate. However, Human Resources may first seek advice from the City Attorney. A government investigator may review a personnel file in Human Resources, but the investigator will not be allowed to remove or reproduce this information without consent from the Human Resources Department and/or the City Attorney.

Employment Verification / References:

- Individuals requesting information on former or current employees shall be referred to Human Resources.
- If employees wish the City to verify information requested by outside sources for credit or other purposes, a release form with the employee's signature must accompany the request.

**FILE
RETENTION**

Contents of the official personnel records will be maintained, retained and destroyed consistent with the Texas State Library and Archives Commission, Local Schedule GR, Retention Schedule for Records Common to all Local Governments.

**LEAVE
RECORDS**

The Finance Department maintains official records of vacation leave and sick leave accrual and of leave usage. Leave records are updated at the end of each pay period. Leave balances are shown on the official record to reflect any remaining leave to which an employee is entitled. It is the responsibility of the employee to report any discrepancies to his/her supervisor. The information should then be reported to the Payroll official.

**RELATED
POLICIES AND
PROCEDURES
EFFECTIVE
DATE**

6.02 Requests for Public Information

November 9, 2000

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2.01 COMPENSATION

<i>PURPOSE</i>	To establish policy and guidelines for the compensation of employees for work performed, to provide pertinent data regarding the City's organizational structure and to ensure compliance with all statutory requirements relating to the classification of jobs including: Americans with Disabilities Act (ADA), Fair Labor Standards Act (FLSA), and Equal Pay for Equal Work Act.
POLICY	The City will maintain a compensation and salary administration system, which is internally equitable and externally competitive with business in our community, other competing markets and similar size and similar situated cities.
PAY AND CLASSIFICATION PLAN	<p>The City maintains a Pay and Classification Plan which assigns each job title to a pay grade based on the principle of equity among positions requiring similar knowledge, skills, and abilities and having similar levels of responsibility.</p> <p>Official Job Titles All positions shall be designated by official job titles. These official titles shall be used on all official records, payroll and communications.</p> <p><i>Pay Grades</i> Pay grades are established by use of a pre-established point factor system. Each position is placed on the pay schedule based on its cumulative points relative to other positions. When the results of a market study are implemented, a position may be reallocated based on current market data.</p> <p><u>Pay Ranges</u> Each pay grade has been assigned a salary range based on a range around market averages for similar positions. Within this framework, an employee's salary will be determined by starting qualifications. In most instances, an employee's starting salary will be between the minimum and one-third control point. The Human Resources Director must approve any starting salary that is above the minimum.</p> <p>Within the general guidelines of the plan and the budget, the City Manager is authorized to determine the appropriate pay grade to which each job title is allocated.</p>
MAINTENANCE OF THE PLAN	The Plan will be reviewed each year to determine its adequacy for business conditions and a recommendation will be made to the City Manager. Adjustments will be made to the Plan as required.
PAYDAYS	The payday for the City is bi-weekly (once every two weeks). Checks are issued on

alternate Fridays for each 14-day period. If the payday falls on a holiday, checks will be issued on the last working day preceding the holiday.

**MANDATORY
DIRECT DEPOSIT**

All City of Round Rock employees are required to participate in payroll direct deposit. This means that your pay will be deposited directly into your account(s) at a participating institution each pay.

With your pay, you will receive a statement showing gross pay, itemized deductions and net pay. The statement will also show number of hours for which you are being paid, including sick, vacation and holiday hours. It will also show leave accrual and balances.

Please refer to the City of Round Rock intranet (portal) to obtain an enrollment form (direct deposit authorization form) to enroll in direct deposit.

**CHECK
DELIVERY**

Paychecks will not be issued other than on the days specified above except on request by the Texas Payday Act. Each department director is responsible for arranging for the pick up of the paychecks for their department. Only the employee, his/her designee or someone with a bona fide written power of attorney for the employee may receive the check in person. If employee elects to have their paycheck direct deposited; deposit will be credited to employee's account no later than the morning of the pay issue day.

No salary advances or loans against future salary will be made to any employee for any reason.

An employee must bring any discrepancy in a paycheck (such as overpayment, underpayment, or incorrect payroll deductions) to the payroll technician's attention before cashing the check.

**PAYROLL
DEDUCTIONS**

Deductions are made from each employee's pay for the following:

- Federal Social Security and Medicare;
- Federal income taxes;
- Court ordered child support;
- Texas Municipal Retirement System contributions (for regular full-time employee and covered part-time employees); and
- Any other deductions required by law.

In accordance with policies and general procedures approved by the City Manager, deductions from an employee's pay may be authorized in writing by the employee

for:

LONGEVITY PAY

- the portion not paid by the City for group health/medical and life insurance premiums for employees or dependents;
- supplemental deferred compensation; and
- such other deductions as may be authorized by the City Manager.

In accordance with state statutes, the City pays each City police officer and firefighter longevity pay in the amount of \$4.00 per month for each full year of service with the City. Longevity pay begins at the end of the first full year and increases each year by \$4.00 per month up to a maximum of 25 years of service (\$100.00) per month. (Legal reference: V.T.C.A. Local Government Code, Section 141.032).

Upon termination, police officers and firefighters will receive a pro-rated longevity payment based on the number of months employed in the calendar year.

The City may at the discretion of the City Council reward most or all City employees with an end-of-year, lump-sum payment. Rewards of this nature may be given if a pool of funds for this purpose has been set aside in the budget established by the City Council.

The amount of any longevity pay awarded to employees is established at the discretion of the City Manager, within established guidelines.

An employee must be on the City payroll on the date established as the cut off date in order to receive longevity pay. If longevity pay is granted, it will be paid in December.

RELATED POLICIES AND PROCEDURES

3.03 Compensation for Extra Hours Worked

3.04 On-Call Pay

4.01 Benefits

EFFECTIVE DATE November 9, 2000

2.02 SALARY ADMINISTRATION

PURPOSE To maintain a salary administration program that ensures internal equity and external competitiveness while recognizing the importance and value of each individual and maintaining a system of fair pay for equal work in support of organizational goals.

POLICY The City will maintain a salary administration program that is internally equitable.

Salary actions or classification changes for current employees become effective at the beginning of a pay period. Certificate pay is effective on the first of the month and is included in the second payroll of the month.

TYPES OF SALARY ACTIONS

NEW HIRES

Vacancies may be filled at the minimum rate of the pay grade through the one-third-control point. The following factors shall be considered in determining new hire rate:

- salaries paid to other incumbents in the position within the hiring department and Citywide;
- salary range of the position;
- Qualifications of individual versus qualifications for the incumbents in the position.

Requests to offer a salary above the minimum must be approved by the Human Resources Director prior to an offer of employment. This provision does not apply to the classification of Police Officer or Firefighter who will be compensated based on the previously approved schedule.

PROMOTIONS

A promotion is the movement of an employee to a position in a higher pay grade that involves increased responsibility, greater complexity and greater consequence of error. Employees who are promoted should receive a pay increase of 8% or to the minimum salary for the new pay group whichever is greater. The Department Director and the Human Resources Director must approve exceptions to this increase.

LATERAL CLASS CHANGE

A lateral class change is the movement of an employee to another classification within the same pay grade as his or her current classification. This class change will result in the assigning of new key result areas. This type of change will normally be accomplished without an increase in salary. The employee's performance and salary may be reviewed after six months and a performance

based increase will be granted, if warranted. However, no employee who receives a lateral class change will receive two performance based salary increases within a twelve-month period.

If a position is reclassified but remains assigned to the same pay range, no pay adjustment will take place.

DEMOTIONS

A demotion is the movement of an employee to a position in a lower pay grade that involves a change in the key result areas.

Demotions may occur for the following reasons:

- Reassignment in lieu of layoff due to a reduction in workforce. In most instances an employee's salary will not be affected. However, the employee's salary should not exceed the maximum salary of the new pay grade;
- sustained inadequate performance or voluntary (employee initiated) demotion; employee's salary will be decreased by 8% or to the employee's rate prior the selection to the current pay grade, plus any market adjustments or performance increase or to a rate comparable to other employees in the classification;
- selection of a current employee, through a competitive posting, for a position in a lower pay grade. In this instance the employee's salary may be negotiated with the hiring authority. However, the employee's salary will be reduced. The employee's new salary must not exceed the maximum for the pay grade.

RECLASSIFICATION

Reclassification does not mean a change in an employee's current duty assignment. A reclassification may occur when, over a period of time an employee's key result areas change significantly enough to warrant a change in classification. A position may be reclassified to another class in the same pay grade or to a higher or lower pay grade. An employee whose position is reclassified to a higher pay grade may receive up to an 8% increase or the minimum of the new pay grade. If a position is reclassified and remains assigned to the same pay grade or is moved to a lower pay grade, no pay adjustment will take place.

Supervisors are required to review significant proposed changes in key results areas with Human Resources.

TEMPORARY ASSIGNMENT

An employee may be temporarily assigned to duties outside of his/her classification and during that time may receive the appropriate rate of pay if the temporary assignment is in a classification in a higher pay grade. Temporary assignments may not exceed six months in a twelve-month period.

OTHER SALARY ACTIONS

PERFORMANCE BASED SALARY INCREASE

This increase will be used to reward employees whose job performance contributes to the continuous improvement of the City and productivity meets or exceeds expectations. To be eligible for a performance based increase, an employee must meet the following criteria:

- completion of at least six continuous months of employment, excluding any full calendar months of leave without pay.

Employees who are at the maximum pay for their pay grade may be eligible to receive a one-time performance based payment. Additionally, employees may not receive more than one performance-based increase during any fiscal year while in the same position. The HR Director must approve exceptions to this.

CERTIFICATE/CERTIFICATION PAY

There is a significant difference between the receipt of a certificate/certification for training completed and associated testing and the award of a nationally recognized certification based on passing an extensive examination over a specified body of knowledge.

Pay issues associated with certificates or certification that are bona fide job requirements for specific positions are built into the pay grade for the job and the pay agreement made with the employee and therefore, are not addressed as

separate pay issues.

Monthly Certificate/Certification Pay -

If a specific type of certification is required for a person to hold the position, that certification is not compensable as certification pay.

Certain designated positions provide additional monthly compensation to incumbents for attaining level(s) of certification above that which is required for the position held. They are compensated as follows:

- First Level \$30 per month
- Second Level \$40 per month
- Third Level \$50 per month

Individuals who receive certificate/certification pay will receive the predetermined monthly amount until he/she is no longer in that position or the minimum requirements for the position change and a higher level certificate/certification is required.

Certification Pay – Added To Base Salary -

When the following criteria is met an amount not to exceed \$1,440 annually will be added to the base pay of an employee that receives certification:

- The certification is directly related to the job assignment;
- The individual can now assume additional responsibilities that do not change the classification of the position; and
- The certificate is a professional designation for a profession that meets the criteria listed below:
 - The profession must have a national organization or some other type of recognized common voice that can speak for its members and foster development of the field;
 - The profession must have a code of ethics that identifies standards of behavior relating to fairness, justice, truthfulness, and social responsibility;
 - The profession must include the practice of applied research to develop the field;
 - The profession must possess a defined body of knowledge; and
 - The profession must have a credentialing organization, which sets professional standards in the field.

INCENTIVE PAY

Incentive pay may be awarded when a special activity that he/she performs falls into the following guidelines:

- The activity is a special service or function that benefits the department;
- The activity requires the employee to take on additional responsibility (not a job requirement);
- The activity requires significant time and training; and
- The activity is not compensated, as a job requirement.

SKILL-BASED PAY

This pay is designed to compensate employees who have certain needed skills, whether job related or not. The purpose is to warehouse skills required by the work unit and call upon them as required.

HIGHER CLASSIFICATION PAY (Fire Department)

In the event that a firefighting employee is required to perform the duties of a particular classification other than the job title to which he or she is assigned, he or she will be paid the salary prescribed for that classification provided that the employee has performed in that capacity for at least one (1) hour or more.

Employees who are authorized for Higher Class Pay will receive a pay increase of at least five percent or whatever amount is required to place the employee's salary at the entry level in the new range, whichever is higher.

Higher Classification will be authorized by the Battalion Chief.

HIGHER CLASSIFICATION PAY (Police Department)

In the event that a Police Officer or Sergeant is required to temporarily assume the duties of the next higher level of supervision, the person designated as an acting Sergeant or Lieutenant assumes all the duties and responsibilities of the position for which he or she is acting.

A person placed in an acting status will be compensated by a temporary salary increase in salary of 8%, during the length of their acting assignment subject to the following limitations:

- All acting assignments must receive prior approval from a Division Captain;
- Eligibility for acting pay begins after the employee has completed at least 40 hours of duty time in the acting role, in the same 80-hour working period. After meeting the 40-hour requirement, the employee will be paid acting pay from

- the first day in the acting position; and
- No acting assignment will continue longer than six months without the written approval of the Chief of Police.

It is the responsibility of the Division Captain approving the acting assignment to ensure the proper Personnel Action is completed and submitted to the Human Resources office beginning and terminating the acting assignment.

MARKET BASED SALARY INCREASE Subject to the availability of funds, the City will conduct or contract with a third party to conduct a market-based compensation study at least bi-annually. As a result of the study and the availability of funding, the City may elect to adjust salaries of affected employees.

APPROVING AUTHORITY The City Manager is the final approving authority for all classification, pay and payroll actions.

RELATED 2.01 Compensation

POLICIES AND PROCEDURES

EFFECTIVE DATE November 9, 2000
Revised: October 29, 2008

2.03 MULTIPLE JOBS FOR THE CITY

purpose To establish guidelines related to the compensation of employees working multiple jobs for the City.

POLICY Employees may work additional part-time jobs for the City either on occasional or sporadic basis, or in a part-time secondary position creating dual employment. All additional work outside of the employee's regular position must be solely at the employee's option.

DUAL EMPLOYMENT A non-exempt employee, paid on an hourly basis, who performs two or more different jobs for the City, each with different pay scales, may be paid on the basis of regular rate calculated as the weighted average hourly rate earned during the week. When an employee performs two different jobs, within the same general occupation category, such jobs must be aggregated together to determine what overtime over 40 hours is due.

OCCASIONAL OR SPORADIC If a non-exempt employee works occasionally or sporadically on a part-time basis for the City in a different job the employee's salary shall not be combined for the

purpose of determining overtime liability.

Occasional or sporadic employment must be infrequent, irregular, or occurring in scattered instances and in a different category as the employee's regular work. The total hours worked will not be combined for purposes of determining any overtime compensation due on the regular, primary job. Hours worked are to be excluded from computing overtime compensation due only when the occasional or sporadic assignments are not within the same general occupation category as the employee's regular work.

**RELATED
POLICIES AND
PROCEDURES**

3.03 Compensation for Extra Hours Worked

**EFFECTIVE
DATE**

November 9, 2000

SECTION		PAGE
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3.02	TIME REPORTING	3-5
3.03	COMPENSATION FOR EXTRA HOURS WORKED	3-9
3.04	"ON CALL" PAY	3-12
3.05	ALTERNATIVE WORK HOURS	3-14
3.06	INCLEMENT WEATHER	3-17

3.01 WORK SCHEDULING

PURPOSE To establish policy and procedures regarding the workweek, work hours and office hours to maximize the City's capabilities to provide services to the citizens.

POLICY Employees are expected to report to work and observe their approved work schedule.

**STANDARD
WORKWEEK** The official work period for employees in City departments for which separate work periods are not established, either elsewhere in these policies or in written memorandum form approved by the City Manager, is a seven-day period beginning at 5:01 p.m. on Friday and ending at 5:00 p.m. on the following Friday.

Other hours of work and official work periods for individuals or groups of employees may be set by the Department Director with the approval of the City Manager.

**BUSINESS
HOURS** Offices must be open during regular business hours Monday through Friday from 8:00 a.m. until 5:00 p.m. Adjustments to the normal hours of operation of City facilities or departments may be made by the City Manager.

All departments are required to remain open during the noon hour each working day with at least one person on duty to accept calls, receive visitors and transact business.

LUNCH PERIOD Each employee is entitled to unpaid time off for meals during each eight-hour shift. The uninterrupted meal period should not be less than thirty minutes, nor more than sixty minutes, as established by the supervisor and employee depending on workload needs. Non-exempt employees must not eat lunch at their desks. Lunchtime taken at the desk or while performing productive work must be recorded as time worked.

Lunch periods or portions thereof will not be accrued to be used at other times.

Under the Fair Labor Standards Act (FLSA), the lunch period must be counted as time worked if an FLSA non-exempt employee takes the lunch period at his/her regular workstation, or is subject to call. Supervisors should ensure that these situations do not occur unless absolutely necessary.

REST PERIODS At the discretion of each supervisor, employees may be allowed a short period of paid time away from work duties of not more than fifteen minutes. Whenever possible, rest periods should be taken in approximately the middle of each four-hour shift.

Employees should recognize that breaks are a privilege and not an entitlement.

Rest periods, or portions thereof, will not be accrued to be used at other times.

**WORK
SCHEDULE -**

The Police Chief sets the work schedule for police personnel and notifies them in writing of their work schedule assignments.

**POLICE
DEPARTMENT**

The term "tour of duty" is unique concept applicable only to Section 207(k) employees. This term refers to periods of time when a patrol officer is considered to be on duty for purposes of determining compensable hours. The time may be scheduled or unscheduled. Scheduled time includes "shifts" and is the time the employee is regularly assigned. Unscheduled time is spent in work outside the "shift." Even though the specific work performed may not have been assigned in advance, the time must be included in the compensable tour of duty.

In accordance with the exception allowable under Section 207(k) of the Fair Labor Standards Act (FLSA) and 29CFR, Part 553, the City has established a 14-day work period for specified police personnel.

The official work period for patrol officers consists of 14 days with shifts following a pre-established pattern. Each officer on each shift is allowed one (1) hour for a meal break during the shift, during which the officer carries a radio and may be required to return to work before the meal break is over if an emergency arises. The City anticipates the need for each officer to work additional unscheduled hours during each 14-day work period, as needed and called upon, for such reasons as emergencies, court appearances, or other necessary duty.

Each officer works a total of eighty (80) scheduled hours per work period.

**WORK
SCHEDULE -**

The Fire Chief sets the work schedule for fire personnel and notifies them in writing of their work schedule assignments.

**FIRE
DEPARTMENT**

In accordance with the exception allowable under Section 207(k) of the Fair Labor Standards Act (F.L.S.A.), the City has established a 21-day work period for its firefighters.

The official work period consists of 21 days with each shift consisting of 24

scheduled hours, followed by 48 hours off. Any change in this official work period requires the approval of the City Manager.

Each firefighter on each shift reports for duty at the beginning of the schedules shift, and is on duty, including meal breaks, for the entire 24 hours, for a total of 168 regularly scheduled hours worked per 21-day work period.

Pay for all firefighter employees is based on their normally working 168 hours each 21-day work period (seven 24-hour workdays).

Since full-time firefighters work 168 regularly scheduled hours during each 21-day official work period, the average number of hours worked each week is 56 hours. Therefore, at the end of each biweekly (14 day) period, each firefighter is paid at the employee's regular straight-time hourly rate for 112 hours (56 hours per week times two weeks). At the end of the biweekly pay period in which the 21-day official work period ends, each employee is paid not only his or her regular paycheck for 112 hours at the regular, straight-time hourly rate of pay, but is also paid for any overtime hours worked during the 21-day work period which have not been offset by leave time used.

**RELATED
POLICES AND
PROCEDURES**

**EFFECTIVE
DATE**

November 9, 2000

Revised: January 13, 2005

3.02 TIME REPORTING

PURPOSE To comply with federal, state and local laws and provide employees with specific policy and procedures regarding time and attendance reporting.

POLICY All City employees are expected to report punctually for duty at the beginning of their assigned workdays and to work the full workdays established.

All employees are required to report hours worked and leave taken accurately and to abide by the City's time worked and leave policies and procedures.

A deliberate misrepresentation of time worked or leaves taken, or unauthorized absence may result in disciplinary action up to and including termination.

TIME REPORTING Hours worked can be defined as time that an employee performs principal activities related to the job on the employer's premises or at a prescribed workplace whether suffered or permitted by the employer.

Employees must keep records of all hours worked and leave time taken and where appropriate, hours credited to particular projects. Each employee shall be responsible for the accuracy of his/her own time sheet. The employee's signature is required on each time sheet acknowledging that the hours worked and leave taken is correct as shown.

Each supervisor is required to sign the employee's time sheet verifying that the timesheet accurately reflects the time worked and leave taken by the employee.

Signed time sheets and Payroll Summary Forms must be received in Payroll no later than close of business on Friday of the payroll ending date unless prior arrangements have been made with the Payroll Technician.

If a supervisor makes an adjustment to a time sheet and the employee is not available to sign, the supervisor may initial the change or include a statement that the employee was unavailable and forward time sheet to the Timekeeper. Supervisor should notify employee of the change.

**ACTIVITIES
CONSIDERED
TO BE TIME
WORKED**

In general, time worked includes all the time an employee is:

- required to be on duty;
- required to be on the work premises or at a prescribed workplace; or
- permitted to work for the city.

Meal Periods

With few exceptions meal periods spent away from the employee's workstation **are not** considered time worked.

Rest Periods

Coffee breaks and other brief rest periods of 15 minutes or less **are** considered time worked.

On-call Time

On-call time is defined as time worked if employees are required to stay by the telephone or at a certain location such that they cannot use the time for their own purposes.

On-call time **is** considered time worked for the amount of time spent:

- performing work-related activities, such as telephone calls;
- driving to and from the location of an emergency situation; and
- responding to an emergency situation.

On-call time **is not** considered time worked if the employee can leave word as to where they can be reached, or if employee carries a beeper, and does not have to stay at a certain location as defined above.

Training Time

Time spent studying and attending classes for courses which are required by the supervisor for an employee's current job **is** considered time worked.

Time spent in training, lectures and meetings **is not** considered time worked **if all four of the following conditions are true:**

- attendance occurs outside of regular work hours;
- attendance is totally voluntary;
- the employee does no productive work related to the employee's job responsibilities while attending; and
- the training is not directly related to the employee's present job.

When training is attended for the bona fide purpose of preparing for advancement through upgrading the employee to a higher skill, and is not intended to make the

employee more efficient in his present job, the training is not considered directly related to the employee's job even though the course incidentally improved his/her skill in doing his/her regular work.

Time spent by an employee on his/her own initiative attending an independent school, college or independent trade school after hours **is not** considered as time worked for the City even if the courses are related to the job.

The City may establish for the benefit of its employees a program of instruction, which corresponds to courses offered by independent bona fide institutions of learning. Voluntary attendance by an employee at such courses outside of working hours would not be hours worked even if they are directly related to the job, or paid for the City.

Travel Time

Normal travel between home and the employee's work place **is not** counted as time worked.

Travel time **is** counted as time worked when:

- Travel is between work locations, such as from one office to another office location of the City, or work site; travel is from home outside of normal work hours to an emergency or work location different from the employee's normal work site; travel away from home when it cuts across the employee's workday. Thus, if an employee regularly works 8:00 a.m. to 5:00 p.m. Monday through Friday, the travel time during these hours is work time on Saturday and Sunday as well as on the other days. As an enforcement policy, time spent in travel away from home outside of regular working hours as a passenger on an airplane, train, boat, bus, or automobile is not considered work time.
- If the employee were traveling by automobile for personal convenience, and travel by plane would be more appropriate from the City's viewpoint; the time **will be reconstructed** as if the employee had traveled by plane.
- If the employee returns home each evening during an overnight assignment out of town, and reimbursement for overnight facilities is considered more appropriate by the supervisor, travel time home and back each day during the assignment **is not** considered time worked.
- If the employee is traveling an equal or shorter distance than the employee's normal home to work travel, the travel will be considered travel between home and work site. It **is not** considered time worked.
- If an employee travels as a passenger, generally, travel **is** considered as time worked only to the extent that it cuts across the employee's normal schedule, unless the employee (passenger) is engaged in productive work.

Medical Attention

Time spent by an employee waiting for and receiving medical attention at the work place or at the direction of the supervisor **is** considered time worked if it occurs during the employee's normal working hours.

Time spent waiting for and receiving medical attention as a result of a workplace injury **is** considered time worked.

Grievances And Complaints

Employee activity necessary to address a complaint, grievance, or unlawful discrimination charge against the City **is** considered time worked if conducted at work and during work hours.

Voluntary Work

FLSA covered employees may not volunteer to work in excess of 40 hours in a workweek without compensation. All time worked must be properly recorded.

**RELATED
POLICIES AND
PROCEDURES**

- 3.01 Work Scheduling
- 4.03 Holidays
- 4.04 Vacation Leave
- 4.05 Sick Leave
- 4.07 Emergency Leave
- 4.10 Additional Leave
- 5.01 Professional Work Environment

**EFFECTIVE
DATE**

November 9, 2000

3.03 COMPENSATION FOR EXTRA HOURS WORKED

PURPOSE To provide guidelines to administer overtime/compensatory pay to manage time and fiscal resources and comply with applicable federal and state wage and hour regulations.

POLICY The policy of the City is to keep overtime to a minimum. However, employees may be required to provide services in addition to normal hours or on weekends or holidays.

FAIR LABOR STANDARDS ACT (FLSA) The Fair Labor Standards Acts (FLSA), as amended, is a federal statute of general application which established minimum wage, overtime pay, child labor, and equal pay requirements that apply as provided in the Act. The City is subject to the prescribed labor standards of the Act.

The compensation for extra hours worked policy is designed to ensure compliance with the Act regarding overtime pay. FLSA non-exempt employees are compensated at a rate of one and one-half of their hourly rates for each hour or fraction of an hour worked in excess of the allowable number of hours under the Act.

FLSA STATUS Overtime commences after 40 hours per seven-day workweek for all non-police and non-firefighting personnel; 80 hours per 14-day work period for patrol officers; and 159 hours per 21-day work period for firefighting employees. All positions in the City are classified as either exempt or non-exempt in compliance with federal law and for payroll administration purposes.

Definitions of exempt and non-exempt status are based on provisions of the FLSA and state law. These definitions are summarized as follows:

Exempt - Employee whose positions meet specific tests established by the FLSA and state law is exempt from overtime pay. Exempt employees primarily include those individuals occupying bona fide executive, administrative, and professional positions under the FLSA.

Non-exempt - Employee is entitled to a minimum wage, overtime pay at the rate of time and one-half the regular rate for all hours worked in excess of 40 hours per week, as well as other protections under child labor and equal pay, as prescribed by the FLSA.

FLSA EXEMPT Department Directors, and other executive, administrative, and professional

EMPLOYEES employees are exempt from the overtime provisions of the Fair Labor Standards Act (F.L.S.A.) and are expected to render necessary and reasonable overtime services with no additional compensation. The salaries of these positions are established with this assumption in mind. Extra hours worked by executive, administrative, and professional employees may be used as a factor in granting or denying paid leave other than vacation or sick leave.

NON-EXEMPT

PUBLIC SERVICE Employees in this category are compensated for hours worked in excess of 40 hours during the workweek.

PERSONNEL

NON-EXEMPT POLICE Patrol officers' time and one-half overtime compensation will commence with any time worked beyond 80 hours in a 14-day period.

PERSONNEL

NON-EXEMPT FIRE PERSONNEL Firefighters work 159 hours each 21-day work period before becoming eligible for time and one-half overtime pay. Therefore, for up to the first nine (9) hours of overtime (the hours between 159 and 168), each firefighter is paid an additional one-half of his or her regular hourly rate, since the employee has already been paid for those nine (9) hours at the full regular hourly rate in the two paychecks covering the work period.

LEAVE TAKEN AND OVERTIME If a full-time employee who is subject to the overtime provisions of FLSA is required to work extra hours during a workweek in which he or she has used sick leave, vacation leave, or any other type of leave time except holiday time, the employee will be given either hour-for-hour time off or pay for the extra hours at the employee's regular straight-time rate of pay for up to 40 hours of work during that workweek. For hours actually worked in excess of 40 per week (80 for patrol officers during a 14-day work period and 159 for firefighters during a 21-day work period), the employee will be compensated with time off, if mutually agreed upon in advance, or paid at one and one-half times the regular rate of pay for the number of extra hours worked which were not offset by the leave time hours taken.

In no instance should the combination of leave taken and hours worked exceed the regular scheduled hours.

HOLIDAYS

WORKED

The City's basic policy is that each employee receives a specified number of paid holidays per year, as set forth in these policies. In most instances, if an employee is required to work on a scheduled holiday, he or she will be given an alternate day off, preferably within the same workweek or work period.

**HOLIDAY
OVERTIME
ELIGIBILITY**

Holiday hours will count as hours worked for purposes of computing overtime eligibility if the holiday is worked or if the holiday is taken off within the same pay period that it occurred.

Nonexempt employees (excluding police and firefighting employees) subject to the overtime provisions of FLSA who are required to work the holiday are paid eight hours straight time for holiday pay plus hours worked on the holiday.

**HOLIDAYS
FALLING ON**

**NON-
WORKDAYS**

Whenever a holiday on the current year's list of approved holidays falls on a regular, non-police, non-firefighting employee's regular day off and the employee does not work that day, the employee will receive an additional day off for the holiday, or will be paid as though the employee had worked his or her regularly scheduled number of hours on the holiday (eight hours for most regular employees) prior to the overtime.

**TELEPHONE
CALLS WHILE
OFF DUTY**

Non-exempt employees who spend time on the telephone discussing City business while off-duty should report the time in 15-minute increments. For example, if a call is received and City business is discussed for seven or more minutes, the timesheet should show the 15 minutes as extra hours worked. If several calls are received with a cumulative time of 15 minutes or more the time is combined and rounded up to the nearest 15 minutes or quarter hour increments.

Calls initiated by the off duty employee will not count as time work, unless calls are business emergency related.

**EMERGENCY
CALL BACK**

Employees may be requested to report back to duty during their scheduled vacation days due to certain emergency circumstances impacting the need of their Department. The Department Director must approve any request to do an emergency call back.

Non-exempt employees will be compensated at the rate of 1.5 hours for each hour worked; if the employee is on a scheduled vacation of 40 hours or more.

**HOLIDAY
DURING
VACATION**

If an official holiday falls within a regular, non-police, non-firefighting employee's vacation, the employee will be granted the holiday and not charged for a day of vacation.

**COMPENSA -
TION FOR FLSA
NON-EXEMPT
EMPLOYEES**

Each Department Director is responsible for making a proper determination of the appropriate method of compensating non-exempt employees for extra time worked. One of the methods listed below must be used:

- equal time off within the same work period (one week for most employees, 14 days for patrol officers and 21 days for firefighters); or
- payment at the rate of one and one-half times the employee's regular hourly rate.

**RELATED
POLICIES AND
PROCEDURES**

2.01 Compensation
3.02 Time Reporting

**EFFECTIVE
DATE**

November 9, 2000

3.04 "ON CALL" PAY

PURPOSE	To establish a procedure for compensating "on call" personnel, trusting on their accountability and reliability.
POLICY	The City will compensate employees who are required by the City to respond to a call for service, which is received after normal working hours within a required response time.
"ON-CALL" OR "STANDBY" TIME	The vital nature of certain City services requires that some employees be available in an "on-call" or "standby" status in the evenings and over holidays and weekends to ensure the continuity of those vital services.

Scheduling

The supervisor has the primary responsibility for defining those particular job functions that should be operating under this procedure, and the personnel who shall be operating as on-call personnel during each standby period.

On-call personnel may rotate scheduled on-call time with other employees only with prior approval from their supervisor.

Responsibilities

Employees who are on-call are required to wear a pager for City communication purposes.

On-call personnel shall respond and report to the work location, once paged, within the established response time for their division.

On-call Pay Period Eligibility

Employees who are required and scheduled on a rotating basis to be "on-call" a period of at least seven days may be eligible to receive "on-call" pay.

Water/Wastewater Line Maintenance (W/WWLM) personnel are the only exception to the seven day rule. W/WWLM personnel who are scheduled "on-call" from 5:01p.m. Friday until the beginning of the workday Monday will receive "on-call" pay.

For each on-call eligibility period, on-call personnel will receive \$30 dollars. If a holiday occurs during the on-call eligibility period an additional \$10 dollars will be paid to the employee. The on-call compensation is included in determining the employee's overtime rate for the workweek.

Compensation

Time on-call or on standby is not considered as time worked. Employees subject to the overtime provision of FLSA who are required to work a full 40 hours, including the holiday, will receive time and one-half pay for each hour worked in excess of 40 hours.

If on-call personnel are "called out" during the on-call period, they will be compensated for the hours worked during the "call out". On the first call out that requires an employee to report to a location 2 hours of time may be recorded for any action that required 2 hours or less. For all other call outs of seven minutes or more time must be combined and is rounded up to the nearest 15 minutes or quarter hour increments.

If on-call personnel receive a telephone call and discuss City business for seven minutes or more that time is combined with all other telephone calls or work time and is rounded up to the nearest 15 minute or quarter hour increment.

**EMERGENCY
ON-CALL**

In the event of an anticipated emergency situation (i.e. severe weather) Department Directors may require that certain employees be placed on an emergency on call status. These employees will be compensated with a flat rate of \$10.00 per day not to exceed \$30.00 in a seven day workweek and will also be compensated for hours physically worked consistent with their wage rate.

These employees are required to report to the assigned location within the response time established by the department. In most instances, this is twenty minutes.

**RELATED
POLICIES AND
PROCEDURES**

3.02 Time Reporting

**EFFECTIVE
DATE**

November 9, 2000

3.05 ALTERNATIVE WORK HOURS

PURPOSE

To provide alternatives to the traditional 8:00 a.m. to 5:00 p.m. workday.

POLICY

Alternative work hour schedules are privileges extended to regular employees. In addition, an employee may be required by the supervisor to work an alternative schedule. However, every job can not be adapted to alternative work times, nor can every department/division necessarily participate.

Supervisors and managers are responsible for determining which jobs can accommodate alternative work hours without any adverse effect on service to the public, work productivity, or work environment.

Employees may request work hours that differ from the City's normal business hours of Monday through Friday from 8:00 a.m. to 5:00 p.m. Schedules must be recommended by the supervisor to be approved by the Department Director after review by the Human Resources Department.

Certain conditions may require a temporary or permanent return to normal working hours, such as meeting schedules, training, court leave, travel, staffing shortages during holidays, and other conditions.

An employee's supervisor may elect to terminate the alternative work schedule at any time and require the employee to work hours specified by the supervisor.

The City Manager retains the authority to schedule/re-schedule work hours to meet business needs and efficiency.

ALTERNATE
SCHEDULES

Two types of alternative schedules are available:

Flex Time maintains the Monday through Friday workweek but allows flexible starting and quitting times. For example, an employee might choose to work from 7 a.m. to 4 p.m. or from 9 a.m. to 6 p.m.

Compressed Work Hours alter the Monday through Friday workweek, as well as the daily work hour schedule. The City options allow a four day or four and one half day workweek.

Alternative schedules are explained in the procedures that follow.

EMPLOYEES ON
COMPRESSED
WORK WEEK
SCHEDULES

Employees on compressed work schedules who are scheduled to work more hours than 8 hours per day will only receive 8 hours of holiday benefit. These employees must either adjust their workweek or take the difference in vacation and holiday leave.

LUNCH HOURS

All City employees must take a lunch period not to exceed one hour. A minimum lunch period of thirty minutes is acceptable with prior approval from the supervisor.

REQUESTING
ALTERNATIVE
WORK HOURS

Employees requesting alternative work hours schedules must complete the Alternative Work Hours form. The form should be submitted through the employee's supervisor to the Division Director with final approval by the Department Director.

IMPLEMENTA-
TION

Once authorized, the alternative work hour schedule remains constant unless a schedule change is requested through completion of the request form.

Occasional variations to the schedule are permissible upon approval by the supervisor. It is recommended that variations be authorized for operational or work-related reasons only.

**MANAGEMENT
GUIDELINES**

All Departments/Divisions must ensure that phones are answered and general receptionist functions provided between the hours of 8 a.m. and 5 p.m., Monday through Friday.

Supervisors are encouraged to be flexible in arranging employee schedules, but must be aware that this option may not be viable for all work, units, or individual employees.

A supervisor is also responsible for ensuring that staff members on alternative schedules observe assigned work hours and proper timekeeping procedures.

**MANAGEMENT
INFORMATION**

Managers are expected to maintain information concerning alternative work hour program participation and efficiency. The information should list employee alternative schedules and describe any positive or negative changes in:

- work quality and quantity;
- attendance statistics; and
- general work habits.

This information may be used to justify the continuation or the termination of a division's-or individual's-alternative work hours and must be made available to Executive management upon request.

**EMPLOYEE'S
GUIDELINES**

Employees requesting alternative work hours, should consult with their supervisor to design schedules according to their job duties and supervision requirements. Schedules are then implemented only after approval by the Division Manager and Department Director.

Employees are responsible for recording time accurately and communicating any problems to their supervisors.

**RELATED
POLICIES AND
PROCEDURES**

- 3.01 Work Scheduling
- 3.02 Time Reporting

**EFFECTIVE
DATE**

November 9, 2000

3.06 INCLEMENT WEATHER

PURPOSE	To provide guidelines about reporting to work under adverse weather conditions
POLICY	<p>Employees are expected to report for duty at the hour regularly assigned for their workday.</p> <p>If weather conditions are such that personal judgment prevents the employee from coming to work or causes them to be late, the employee should notify the supervisor within 30 minutes after the start of the work day.</p> <p>The City will report the closing/reopening of City offices on the City Web site and with local media outlets.</p> <p>It is the employee's responsibility to periodically check to determine if the City offices have closed/reopened and to receive instructions on returning to work.</p>
ABSENCES FROM WORK	<p>If City offices are open and weather conditions cause employees to lose time, the supervisor may account for the absence by:</p> <ul style="list-style-type: none">• Authorizing leave time for which the employee is eligible (i.e., vacation); or• Authorizing leave without pay
CITY OFFICES CLOSED	<p>If City offices are closed due to adverse weather conditions:</p> <ul style="list-style-type: none">• Non-emergency services personnel scheduled to work will not report to work, but will be considered as working for pay purposes during the hours City offices were closed.• Emergency services personnel will be expected to report as scheduled unless otherwise notified by their supervisors.
EMERGENCY SERVICES PERSONNEL	<p>For purposes of this policy "Emergency Services Personnel" are defined as:</p> <ul style="list-style-type: none">• Police Officers, Firefighters, and Communications Operators who are scheduled to work during the hours that City offices are closed due to inclement weather.• Water Plant Operators who are regularly scheduled to work during the hours that City offices are closed due to inclement weather.• Employees whose regular duties require them to respond to emergency situations in order to take corrective actions and who are regularly scheduled to work during the hours that City offices are closed due to inclement weather.

Emergency Services Personnel reporting to work as scheduled will be paid at their normal rate of pay.

**NON-
EMERGENCY
PERSONNEL**

Non-exempt, Non-Emergency Services Personnel who are not scheduled to work during the hours that City offices are closed due to inclement weather, but who are called to report for work during an emergency situation, will receive their normal rate of pay for those hours and will receive over-time pay only for actual hours worked in excess of the normal work week.

Non-Emergency Services Personnel who are not called to report for work during the hours that City offices are closed due to inclement weather, but who report to work anyway, will receive their normal rate of pay for those hours and will receive over-time pay only for actual hours worked in excess of the normal work week .

**RELATED
POLICIES AND
PROCEDURES**

3.03 Compensation For Extra Hours Worked

**EFFECTIVE
DATE**

March 24, 2004

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4.01 BENEFITS

PURPOSE

To explain the benefits available to qualified City employees.

POLICY

The City is committed to maintaining competitive benefits that will attract and retain quality employees and enhancing employees' quality of life.

GROUP INSURANCE PLAN

Active Employees

The City pays a portion of the premium for employee-only coverage for full-time employees. The City pays three-quarters of the employee-only premiums for qualifying part-time employees. Eligible employees may add dependent coverage at the employee's expense.

Retiree Eligibility

An employee must meet the terms and conditions of the City's retirement plan as administered by the Texas Municipal Retirement System.

Retirees that meet the terms and conditions of the retirement plan must have five years of continuous service with the City immediately prior to the date of retirement. Retirees are eligible for health coverage under the City's group health, dental and vision insurance coverage.

All employees, at the time of eligible retirement, may elect to continue health benefit coverage for the retiree and his/her dependents. This election must be made on the date of retirement.

Premiums for retirees and eligible dependents will be as follows:

- 5 - 9 years of employment with City, premium rate based on the health benefit premiums at the time of eligible retirement, plus \$100.**
- 10 -19 years of employment with City, premium rate is based on the health benefit premiums at the time of eligible retirement, plus \$50.**
- 20 or more years of employment with City, premium rate is based on health benefit premiums at the time of eligible retirement.**

**The City may periodically revise the group insurance plan and rate.

SUPPLEMENTAL COVERAGE

The City offers voluntary supplemental insurance through a third party administrator.

SOCIAL SECURITY

Employees are covered under Old Age, Survivors and Disability Insurance (Social Security). The City contributes to the Social Security System for each

employee.

**UNEMPLOYMENT
INSURANCE**

Employees are covered under the Texas Unemployment Compensation Insurance program. In certain circumstances, this program provides benefits to unemployed qualified workers.

**WORKERS'
COMPENSATION**

Employees are covered by the Workers' Compensation Insurance Program. This program provides medical and salary continuation payments to employees and/or qualified volunteers who receive bona fide, on-the-job, work-related injuries.

Affected employees will continue to receive City wage checks, reflecting the salary for the number of hours in the regularly scheduled pay period. Employees receiving salary continuation benefit checks from the City's insurance carrier (Texas Municipal League) must endorse and return the checks to Human Resources immediately.

**RETIREMENT
PLAN**

The City is a member of the Texas Municipal Retirement System (TMRS), a non-traditional joint contributory, defined contribution plan. Membership in the retirement system is mandatory for all regular full-time employees (defined by TMRS as an employee who works in excess of 1,000 hours per year). Both the employee and the City contribute to the employee's retirement account. Employees who leave City employment prior to retirement may request a refund of their contributions plus interest earned from TMRS.

Retirement benefits are determined by a formula that takes in account the average life expectancy of a person at the time of retirement, the amount deposited in the employee's account, the future interest rate assumption as set by law, and which of the benefit payment plans the employee selects.

**DEFERRED
COMPENSATION**

The City offers a supplemental deferred compensation program, which allows employees to defer a portion of their expendable gross earnings up to an established maximum per year. Under this plan, the amount of salary, which is deferred, is not taxed in the current year. Both the salary deferred and the earnings it generates are permitted to accumulate without being subject to taxes until the employee received payments from his or her account.

**FLEXIBLE
SPENDING
ACCOUNTS**

The City offers flexible spending accounts for dependent childcare reimbursement and unreimbursed medical expenses. This program allows employees to be reimbursed for dependent childcare expenses and for out of pocket health care expenses. Employees elect to contribute money to one or both accounts on a pre-tax basis through payroll deduction.

LEAVE TIME

Regular full time employees and part-time employees are eligible to receive paid time off consistent with leave policies detailed in this policy and procedure manual.

LONGEVITY PAY	<p>The City may reward eligible employees with an end-of-year, lump-sum payment. Payments of this nature will be given if a pool of funds for this purpose has been set aside in the budget established by the City Council at the beginning of the fiscal year.</p> <p>Only employees who are normally scheduled to work at least 20 hours per week and who have complete one year of service are eligible to receive longevity pay. The payment will be based on months of service with the City and awarded in December.</p>
EDUCATION ASSISTANCE	Regular full-time employees, and part time employees normally scheduled to work at least 20 hours per week, who have completed their introductory period may be eligible for education assistance consistent with policy detailed in this manual.
SERVICE PINS	Each year in December, service pins are awarded to employees who have completed 5, 10, 15, 20, 25, or 30 years of service with the City of Round Rock.
RELATED POLICIES AND PROCEDURES	<p>2.01 Compensation</p> <p>2.02 Salary Administration</p> <p>8.05 Tuition Assistance / Reimbursement Program</p>
EFFECTIVE	November 9, 2000
DATE	Revised: January 8, 2009

4.02 LEAVE TIME

PURPOSE

To establish policies and procedures regarding employee leave, in accordance with federal law and state local laws.

POLICY

All employees are required to report hours worked and leave taken accurately.

A deliberate misrepresentation of hours worked, leave taken, or an unauthorized absence will result in disciplinary action up to and including termination.

The employee's supervisor must approve all leave time taken. Leave taken may be paid or unpaid.

UNAUTHORIZED ABSENCE

An unauthorized absence occurs when an employee:

- takes leave without prior approval as required; or
- is absent from work and fails to notify the supervisor within the established time frame.

LEAVE BALANCES

Upon approval by the supervisor, the employee may use any available holiday or vacation leave time.

Sick leave may only be used for illness of the employee or immediate family members.

Negative leave balances are not allowed.

SUPERVISOR'S RESPONSIBILITY

Supervisors are responsible for determining that leave has been accrued and is available for use in the amounts requested by an employee. Department Directors are responsible for ensuring that all leave taken is recorded on the Payroll Summary Form that is sent to Payroll for payroll processing.

RELATED POLICIES AND PROCEDURES

EFFECTIVE

November 9, 2000

DATE

4.03 HOLIDAYS

PURPOSE

To explain policies and procedures concerning holiday leave and to establish a holiday schedule.

POLICY

The City is committed to providing a competitive benefit to recognize traditional holiday's preserving the rich heritage and traditions of our community and enhancing the quality of life.

DESIGNATED HOLIDAYS

The City Council designates holidays for City employees. The following days are observed as paid holidays:

- New Year's Day
- Martin Luther King Jr. Day
- President's Day
- Memorial Day
- Independence Day
- Labor Day
- Veteran's Day
- Thanksgiving and the Friday following Thanksgiving
- Christmas Eve and Christmas Day; or, when Christmas Day falls on a Thursday, Christmas Day and the following Friday.

If the holiday falls on a Saturday, the proceeding Friday shall be observed. If a holiday falls on a Sunday, the following Monday shall be observed.

Additionally, September 11 is designated as a paid holiday for Firefighters. However, the September 11 holiday must be taken in lieu of another holiday designated above.

Employees who are members of religious faiths which celebrate other religious holidays that are not City holidays may substitute one or more days for one or more of the holidays listed above, provided that the employee's job and the business needs of the department are met.

ELIGIBILITY

Regular full-time employees and part-time employees who are normally scheduled to work at least 20 hours per week are paid for holidays. Payment is based on the number of hours they would have worked if the holiday had not occurred. However, employees will not receive more than eight hours leave time for the holiday. Temporary employees or employees who are normally scheduled to work fewer than 20 hours per week are not paid for holidays except for holiday hours actually worked.

An employee who is absent with out approved leave or is on leave without pay on the workday immediately preceding or following a holiday will not be paid for the holiday.

BUSINESS NECESSITY

It is not always feasible to grant holidays at the scheduled time, especially for employees who are assigned shifts on an "around-the-clock" operation.

Additionally, with the approval of the City Manager, a Department Director that finds it a business necessity to do so may direct some or all employees of the department to report for work on a holiday.

**ALTERNATE DAY
OFF**

Non-police and non-firefighting employees who are scheduled to work a holiday receive an alternate day off for the holiday.

Employees who are sick on a holiday for which they are scheduled to work will document the leave as holiday leave rather than sick leave. If an employee is sick on his/her alternate day off the leave will be documented as holiday leave.

If an official holiday falls within a non-police, non-firefighting employee's vacation, the employee will be granted the holiday and not charged for a day of vacation.

**FLEXIBLE
SCHEDULES**

When a holiday falls on a day for which an employee is normally scheduled to work more than eight hours, the employee may either take available leave for the difference, or work additional hours on another day in the workweek.

**EXCEPTIONS FOR
PATROL OFFICERS
AND
FIREFIGHTERS**

Since police patrol and fire protection must be provided around-the-clock and year-round, they remain open on holidays. To provide equivalent holiday leave time to these employees, the City has established policies for holiday leave accrual and usage for these departments.

Police Patrol Officers earn holiday leave credits as the holiday occurs.

Firefighters earn holiday leave credits at the rate of 12 hours per month, for a total of 144 hours per year, reflecting the greater number of hours worked per year by firefighters than by other City employees.

Holiday leave time expires one year from the date of accrual. Employees are encouraged to take their holiday leave within the 12 month period or lose the holiday leave accrual.

If an emergency necessitates that the employee be called in to work during holiday leave all or part of that day, then the employee will be compensated. The employee will be granted either equivalent holiday time off during the same official work period or paid for the number of holiday hours actually worked.

**RELATED
POLICIES AND
PROCEDURES
EFFECTIVE
DATE**

2.01 Compensation

Section 142.0013, Local Government Code

November 9, 2000

Revised September 10, 2009

4.04 VACATION LEAVE

PURPOSE To provide guidelines related to the accrual and use of vacation leave.

POLICY Regular full-time employees and regular part-time employees who are normally scheduled to work at least 20 hours per week are eligible to accrue vacation leave. Employees are encouraged to take regular vacation time at least annually.

New employees may not take vacation leave during the six-month introductory period. Employees who leave employment during the first six months will not be paid for accrued vacation leave.

LEAVE ACCRUAL AND CARRYOVER Vacation leave will accrue in the first and second pay period for each month provided that the eligible full-time employee works at least 40 hours and the part-time employee works at least 20 hours during the pay period or is on paid leave. Leave can be taken after it shows as an accrual on the pay statement. During the six month introductory period, employees may not use accrued vacation leave.

PUBLIC SERVICE: Regular, full-time employees earn

<i>Length of Service</i>	Leave Accrual 1st & 2nd pay period monthly	Maximum Anniversary Date Carryover
First pay period to end of 2 nd yr.	4 hours	192 hours
Start of 3 rd yr. to end of 9 th yr.	5 hours	240 hours
Start of 10 th year	6 hours	288 hours

POLICE DEPARTMENT: Regular, full-time commissioned Police Officers earn

<i>Length of Service</i>	Leave Accrual 1st & 2nd pay period monthly	Maximum Anniversary Date Carryover
First pay period to end of 1 st yr.	4 hours	192 hours
Start of 2 nd yr. to end of 9 th yr.	5 hours	240 hours
Start of 10 th year	6 hours	288 hours

FIRE DEPARTMENT: Regular, full-time Firefighters earn

<i>Length of Service</i>	Leave Accrual 1st & 2nd pay period monthly	Maximum Anniversary Date Carryover
First pay period to end of 2 nd yr.	7.5 hours	360 hours
Start of 3 rd yr. to end of 9 th yr.	10 hours	480 hours
Start of 10 th year	13 hours	624 hours

Regular status employees who are normally scheduled to work at least 20 hours per week accrue vacation leave at a prorated rate (i.e. 20 hour employees earn 2 hours, 30 hour employees earn 3 hours).

Temporary employees (full-time or part-time) and regular part-time employees who are normally scheduled to work fewer than 20 hours per week do not earn vacation leave.

LEAVE CARRYOVER Employees are encouraged to use their accrued vacation leave each year as it is earned. Annually, on the employee's anniversary date any vacation leave balance in excess of these maximums is reduced to the maximums without compensation.

**SCHEDULING AND
USE OF VACATION
LEAVE** Supervisors should encourage their employees to schedule vacations and request leave in advance. If it is necessary to refuse an employee's request to take vacation leave, the supervisor should explain the reason to the employee and another time should be scheduled.

When employees take a full workday of vacation leave, they are charged with the actual number of hours they would have worked that day. Use of vacation leave for a portion of day is recorded in increments of fifteen minutes or more.

If a holiday occurs while an employee is on vacation leave, the holiday time off will not be charged to the employee's vacation leave.

**PAYMENT FOR
UNUSED VACATION
LEAVE** **Separation from Employment** – Except as provided in 10.00 below, when an eligible employee who has completed six continuous months of employment separates from employment he/she may be eligible to be paid for unused vacation leave.

Selling Vacation Leave – Under certain circumstances the City Manager is authorized to pay an employee up to 40 hours of vacation leave per fiscal year

if an employee has a vacation leave balance in excess of 100 hours. Records related to the sell back shall be retained with all other time reporting documents.

Employees who have been disciplined within the last six months will not be entitled to sell back vacation time.

Death of Employee – Unused vacation leave will be paid to the estate of the employee if the employee has completed the introductory period.

RELATED

2.01 Compensation

**POLICIES AND
PROCEDURES**

10.00 Separation

EFFECTIVE

Revised November 8, 2001

DATE

4.05 SICK LEAVE

PURPOSE

To provide guidelines related to the use of sick leave.

POLICY

Regular full-time and part-time employees who are normally scheduled to work at least 20 hours per week are eligible to accrue and use paid sick leave

SICK LEAVE

Sick leave entitlement will accrue the first and second pay period for each month provided that the full-time employee works at least 40 hours or the part-time employee works at least 20 hours during the pay period or is on paid leave.

ACCRUAL FOR

NON-CIVIL

SERVICE

EMPLOYEES

Regular full-time non-firefighting employees accrue 8 hours of sick leave per month. There is no maximum accrual limit. Regular part-time employees who are normally scheduled to work at least 20 hours per week accrue sick leave at a prorated rate. Former employees who are re-employed within one year of leaving the City will have 50% of their sick leave balance restored.

SICK LEAVE ACCRUAL AND

Regular full-time firefighting employees accrue 15 hours per month, with no maximum accrual limit.

USAGE FOR CIVIL SERVICE EMPLOYEES

Civil Service employees who use sick leave shall first use sick leave accrued under Sec 143.045. If the employee exhausts all of his/her 143.045 sick leave, then the employee shall next use sick accrued after January 1, 1994 but before October 30, 2001. If the employee exhausts all of these sick leaves, then the employee shall use sick bank leave accrued before January 1, 1994, if any.

USE OF SICK LEAVE

An employee may use sick leave if the employee is absent from work due to:

- illness or temporary disability due to sickness, injury or pregnancy and
- confinement;
- an appointment with a doctor (including general physicians, dentists, obstetricians, or other licensed medical specialists);
- legal or doctor ordered quarantine; or
- illness of a member of the employee's immediate family who requires the employee's personal care and attention. Sick leave for immediate family members not residing in the employee's household is limited to time necessary to provide care and assistance.

Immediate family includes: spouse, child, parent, mother-in-law, father-in-law, daughter-in-law, or son-in-law of the employee who needs care and assistance as a direct result of a documented medical condition.

Employees using sick leave are charged with the actual number of hours taken. Use of sick leave for less than a full workday should be recorded in increments of

	15 minutes.
CONSECUTIVE DAYS OF SICK LEAVE	<p>Sick leave taken for three or more consecutive days may be subject to Family and Medical Leave.</p> <p>An employee must provide his or her supervisor with a doctor's certificate to return to work. All other relevant medical information or documents shall be submitted to Human Resources.</p>
ABUSE OF SICK LEAVE	<p>The City recognizes that absence because of illness can be unavoidable but encourages employees to accumulate a reasonable sick leave balance for use in the event of a serious or long-term illness.</p> <p>Evidence of abuse of leave privileges can include, but is not limited to:</p> <ul style="list-style-type: none"> • frequent absences on Friday and/or Monday; • maintaining low or zero paid leave balances; and/or • frequent absences prior to or following a holiday. <p>A doctor's statement may be required for each incident of sick leave taken. A supervisor may ask for a doctor's statement regardless of the number of days absent or the frequency of absence.</p>
ILLNESS WHILE ON VACATION LEAVE	<p>When an illness or physical incapacity occurs during the time an employee is on vacation leave, accrued sick leave may be granted to cover the period of illness or incapacity and the charge against vacation leave reduced proportionately. A medical statement must be presented to supervisor to be eligible for adjusted leave.</p>
SICK LEAVE DONATIONS	<p>Employees may donate sick leave to the Catastrophic Leave Pool. Donations are strictly voluntarily and are at the discretion of the employee. All donations are irrevocable.</p>
EXHAUSTED LEAVE	<p>An employee who has exhausted his or her sick leave (and, for applicable employees, who has exhausted his or her Sick Bank leave) will automatically be placed on vacation leave if (1) the employee has vacation leave available; and (2) the employee has not requested a temporary leave of absence without pay. No advance of unearned sick leave benefits will be made for any reason. Qualifying employees may request leave from the Catastrophic Leave Pool.</p>
SEPARATION	<p>Unused sick leave accrued after January 1, 1994 by non-Civil Service employees is</p>

FROM

lost without compensation upon termination of employment.

EMPLOYMENT

Civil Service fire fighters who leave the classified service for any reason are entitled to receive in a lump-sum payment the full amount of their firefighter's salary for accumulated sick leave not to exceed 90 days.

Sick Leave Bank

Employees employed, prior to January 1, 1994 who have banked sick leave will receive payment of the qualifying portion based on his or her hourly wage at that time the bank was created.

RELATED

1.08 Re-Employment

**POLICIES AND
PROCEDURES**

2.01 Compensation

3.02 Time Reporting

4.06 Family and Medical Leave

10.00 Separation

EFFECTIVE

November 9, 2000

DATE

Revised November 20, 2001

Revised March 24, 2004

Revised February 25, 2010

4.06 FAMILY AND MEDICAL LEAVE ACT (FMLA)

PURPOSE To explain the provisions of leave under the FMLA.

POLICY Consistent with FMLA guidelines, the City of Round Rock will provide paid or unpaid leave for a FMLA qualifying event.

ENTITLEMENT LEAVE **TO** To be eligible for FMLA leave, an employee must have worked for the City for 12 months and have worked at least 1,250 hours during the 12 months immediately before the date when the leave is requested to begin. (The 12 months need not have been consecutive)

An eligible employee is entitled to 12 workweeks of paid or unpaid leave during any 12-month period for the following purposes:

- (1) birth of a son or daughter of the employee and in order to care for such son or daughter;
- (2) placement of a son or daughter with the employee for adoption or foster care;
- (3) in order to care for the spouse, or a son, daughter, or parent of the employee if such spouse, son, daughter or parents has a serious health condition;
- (4) a serious health condition that makes the employee unable to perform the functions of the position of such employee, or;
- (5) due to any qualifying exigency arising out of the fact that the spouse, or a son, daughter, or parent of the employee is on active duty (or has been notified of an impending call to order to active duty) in the Armed Forces in support of a contingency operation.

An eligible employee who is the spouse, son, daughter, parent or next of kin of a covered servicemember is entitled to 26 workweeks of paid or unpaid leave during a single 12-month period to care for the servicemember.

DEFINITIONS The FMLA provides the following definitions:

- "Son or daughter" means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in the place of a parent. The child must be under 18 years of age or an individual 18 years of age or older who is incapable of self-care because of a mental or physical disability.

- “Spouse” means a husband or wife as defined or recognized under state law for purposes of marriage, including common law marriage.
- “Parents,” means biological, or someone who was the employee’s legal guardian.
- “Covered Servicemember” means a member of the Armed Forces. Including a member of the National Guard Reserves, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness

“Outpatient Status” with respect to a covered servicemember, means status of a member of the Armed Forces assigned to:

(A) a military medical treatment facility as an outpatient; or

(B) a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients.

- “Next of Kin” used with respect to an individual, means the nearest blood relative of that individual.
- “Serious Injury or Illness” in the case of a member of the Armed Forces, including a member of the National Guard or Reserves, means an injury or illness incurred by the member in line of duty or active duty in the Armed Forces that may render the member medically unfit to perform the duties of the member’s office, grade, rank or rating.
- “Serious Health Condition” means an illness, injury, impairment, or
- physical or mental condition that involves:

(A) Inpatient care in a hospital, hospice, or residential medical care facility or;

(B) Continuing treatment by a health care provider.

**CALCULATION OF
TWELVE**

MONTH PERIOD

**CERTIFICATION OF
FMLA QUALIFYING
EVENT REQUIRED
NOTICES**

The 12-month period is measured starting from the date any employee's first FMLA leave begins. Subsequent qualifying period of FMLA leave are measured from the end of the previous FMLA event.

An employee requesting leave (a) in order to care for the employee's spouse, or a son, daughter, or parent who has a serious health condition; (b) because the employee has a serious health condition; or (c) in order to care for a covered servicemember must submit a certification issued by the health care provider of the person with the serious health condition to the Human Resources Department. The certification must state:

- (1) the date on which the serious health condition commenced;
- (2) the probable duration of the condition;
- (3) the appropriate medical facts regarding the condition;
- (4) if appropriate, a statement that the employee is needed to care for the spouse, son, daughter or parent and an estimate of the amount of time that the employee is needed; and
- (5) if appropriate, a statement that the employee is unable to perform the functions of his or her position.

An employee requesting leave because of a qualifying exigency arising out of the fact that the spouse, or a son, daughter, or parent of the employee is on active duty or has been notified of an impending call or order to active duty in support of a contingency operation, must submit a certification issued as prescribed by the Secretary of Labor.

In the case of leave for birth or placement of a son or daughter, an employee must provide not less than 30 days notice before the date the leave is to begin. If the date of the birth or placement requires leave to begin in less than 30 days, the employee must provide such notice as is practicable; usually within one or two business days of the date the employee is aware of the need to request leave.

In the case of leave to care for the spouse or a son, daughter or parent who has a serious health condition, to care for a covered servicemember or if the employee has a serious health condition, if the necessity of such leave is foreseeable based on planned medical treatment, the employee shall:

- (1) make a reasonable effort to schedule the treatment so as not to unduly disrupt the operations of the City, subject to the approval of the health care provider; and
- (2) provide the Human Resources Department with notice of the employee's intentions to take leave not less than 30 days notice before the date the leave is to begin. If the date of the treatment requires leave to begin in less than 30 days, the employee shall provide such notice as is practicable.
- (3) in the case of leave because of a qualifying exigency arising out of the fact that the spouse, or a son, daughter, or parent of the employee is on active duty or has been notified of an impending call or order to active duty in support of a contingency operation, if the necessity of such leave is foreseeable, the employee shall provide such notice to the Human Resources Department as is reasonable and practicable.

An employee on FMLA leave should maintain contact with the appropriate Department Director to report on his or her status. The City may also require subsequent re-certifications as reasonably needed.

SECOND, OPINIONS

THIRD

The City may require a second opinion from a health care provider as to the need for and scheduling of FMLA leave. The second opinion, if sought and obtained by the City, will be paid for by the City and will be obtained from an independent health care provider designated or approved by the City. If the second opinion conflicts with the original opinion, a third opinion is necessary, and this opinion is final. The third opinion will be paid for by the City and will be obtained from an independent health care provider designated or approved jointly by the employee and the City.

LEAVE RESTRICTIONS

Although City policy does allow for the use of sick leave to be taken to provide care for the employee's spouse, son, daughter, parent, mother-in-law, father-in-law, daughter-in-law or son-in-law who has a "serious health condition", the mother-in-law, father-in-law, daughter-in-law, and son-in-law are not included in the FMLA provisions.

Additionally, FMLA leave provisions do not include grandparents, or unmarried

domestic partners.

LIMITS OF BENEFITS

If spouses are employed by the City and the qualifying event is related to the birth or placement of a child, or a serious health condition of a parent, 12 workweeks of leave is the aggregate leave limit for both during any 12-month period.

If spouses are employed by the City, and the qualifying event is related to care for a covered servicemember, 26 workweeks of leave is the aggregate leave limit for both during the single 12 month period.

An eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered service member shall be entitled to a total of 26 workweeks of leave during a 12-month period to care for the service member. The leave shall only be available during a single 12-month period.

The total cumulative time which an employee may be absent from work on family leave during any 12-month period is 12 workweeks or 26 workweeks as appropriate, regardless of whether all or a portion of the leave period is paid or unpaid. If an employee has accrued sick, vacation, or personal leave, they must exhaust all leave before being eligible for unpaid family leave.

Where an employee normally works a part-time schedule or variable hours, the amount of leave to which an employee is entitled is determined on a pro rated basis.

Once all leave available to the employee has been exhausted, the City will provide enough unpaid leave to cover the balance of the total 12 workweeks or 26 workweeks as appropriate. During the unpaid portion of an employee's family leave period, the employee accrues no vacation, sick, or any other type of leave.

INTERMITTENT LEAVE OR REDUCED WORK SCHEDULE

Leave may be taken on an intermittent basis or an employee may request a reduced work schedule for the birth or placement of a son or daughter within one year following the event. The City and the employee must mutually agree to a schedule.

Leave for serious health conditions - either of the employee or of eligible family members of the employee or care for a covered servicemember - may be taken

intermittently or on a reduced schedule if medically necessary, provided the other conditions of these policies concerning certification and notification requirements are met. In the case of leave for the treatment of a serious medical condition, the employee should make a reasonable effort to schedule treatments so as not to unduly disrupt the City's operations. If the employee's request for intermittent leave or leave on a reduced leave schedule is foreseeable based on planned medical treatment, the City may require the employee to transfer temporarily to an alternative position, with equivalent pay and benefits, that better accommodates recurring periods of leave.

Leave because of a qualifying exigency arising out of the fact that the spouse, or a son, daughter, or parent of the employee is on active duty or has been notified of an impending call or order to active duty in support of a contingency operation may be taken intermittently or on a reduced leave schedule.

**EMPLOYEE STATUS
AND BENEFITS
PROTECTION**

An employee on FMLA leave does not lose any previously accrued seniority or employment benefits, but does not earn any leave or other benefits during the unpaid portion of the leave. An employee receiving donated leave does not earn any leave or other benefits.

While an employee is on FMLA leave, the City will continue the employee's health benefits during the leave period at the same level and under the same conditions as if the employee had continued to work.

While on paid leave, the City will continue to make payroll deductions to collect the employee's share of the premium. While on unpaid leave, the employee must continue to make this payment, either in person or by mail, by the due date required by the City. If the payment is more than 30 days late, the employee's health care coverage may be dropped for the duration of the leave. The City will provide 15 days notice prior to the employee's loss of coverage.

RETURN TO WORK

After completion of FMLA leave, an employee will be returned either to the same position he or she held before the leave began or to a position equivalent to the previously held position in pay, benefits, and other terms and conditions of employment.

This policy may be modified for "key employees," defined as those salaried employees in the highest paid 10 percent of the City's workforce. Key employees will be notified in advance of their status. Regardless of whether the FMLA leave period is paid, unpaid, or a combination of both, the employee's health insurance coverage will be continued in the same manner and at the

same level as prior to the FMLA leave period.

Should the employee decide at any time after FMLA leave begins, that he or she will not return to work at the City, the employee must reimburse the City for health coverage premiums paid by the City unless the reason for not returning to work is the continuation, recurrence, or onset of a serious health condition, or other circumstances beyond the employee's control. Medical condition is subject to certification.

EXTENSION OF FMLA LEAVE	Extensions of FMLA leave beyond the 12 or 26 workweek period may be authorized by the City Manager and the employee's Department Director in no more than one-month intervals. A careful review must be conducted prior to authorizing any extension. The reason(s) for granting the extension must be documented in the employee's medical file.
DOCUMENTATION	All documentation regarding FMLA leave will be filed in the employee's medical file, which is maintained separate from the personnel files and is accessible by individuals only on a "need-to-know" basis or as otherwise required by law.
RELATED	4.05 Sick Leave
POLICIES AND PROCEDURES	4.11 Catastrophic Leave Pool 7.07 Reporting and Recording Accidents, Incidents and Environmental Events 7.08 Reporting and Recording Injuries and Illnesses Family Medical Leave Act of 1993, as amended.
EFFECTIVE DATE	November 9, 2000 Revised February 25, 2010

4.07 EMERGENCY LEAVE

PURPOSE To explain policies and procedures related to emergency leave.

POLICY The City may provide paid absences for a death in an employee's immediate family, or for the illness of a member of the employee's immediate family.

For purposes of emergency leave, "immediate family" includes spouse, child, parent, brother, sister, mother-in-law, father-in-law, daughter-in-law, son-in-law or grandparents of an employee, or any relative living in the employee's household.

The terms, reasons, and length of leave time approved must be documented and attached to the timesheet. The length of time granted (number of hours or days) for a specific emergency leave must be approved by the Department Director in advance.

BEREAVEMENT An employee may be granted up to 24 hours of emergency leave to attend the funeral of an immediate family member. An employee may use vacation or sick leave for additional time off.

FAMILY MEMBER CARE Provided that the employee has no other leave available, twenty-four hours of emergency leave may be granted to regular full-time employees or twelve hours to regular part-time employees whose immediate family member requires the employee's personal care.

RELATED 4.05 Sick Leave

POLICIES 4.06 Family Medical Leave Act (FMLA)

AND 4.10 Additional Leave

PROCEDURES

EFFECTIVE DATE November 9, 2000

Revised February 25, 2010

4.08 MILITARY LEAVE

PURPOSE	To provide guidelines for the use of and compensation related to Military Leave.
POLICY	Regular status employees are eligible for the following types of leave for military service: (1) authorized training or duty for members of the state military forces and members of any of the reserve components of the United States Armed Forces; (2) call to National Guard active duty by the Governor; and (3) national emergency active duty for a member of a reserve branch of the U.S. Armed Forces.
AUTHORIZED TRAINING FOR DUTY	<p>An eligible employee who is called to active duty or authorized training as a member of the state military forces or any of the reserve components of the United States Armed Forces is entitled to a leave of absence from his or her respective duties for not more than 15 days in a federal fiscal year without loss of time, efficiency rating, vacation time, or salary.</p> <p>The 15 days need not be consecutive and “members of the state military forces or members of reserve components of the U.S. Armed Forces who are ordered to duty by proper authority on nonconsecutive days are entitled to 15 days total.” This same opinion also holds that 15 days refers to working days and calendar days.</p> <p>After exhausting the 15 days of military leave, the employee may use accrued vacation leave to the extent available or be placed in a leave without pay status (or combination of the two) for the remainder of the active duty period.</p> <p>An eligible employee who is engaged in ‘authorized training duty’ in the state military forces is entitled to receive compensation for up to 15 working days per year during which he is absent from his regular employment.</p>
MILITARY LEAVE	Regular employees who are members of the state military forces or members of any of the Reserve Components of the Armed Forces of the United States are entitled to leave of absence from their duties, without loss of time, seniority, or benefits on all days during which they are engaged in authorized training or duty ordered by proper authority, not to exceed 15 working days in any year. Regular employees who have completed the six-month introductory period will continue to receive pay from the City. Military leave in excess of 15 working days will be charged to vacation leave or leave without pay.

Regular employees, who have completed six months of continuous employment, who are ordered to extended active duty with the state or federal military forces are entitled to all of the re-employment rights and benefits provided by law upon their release from active duty and return to work.

Requests for military leave must include copies of the relevant military orders.

CALL TO NATIONAL GUARD ACTIVE DUTY BY THE GOVERNOR An eligible employee who is called to active duty as a member of the National Guard by the Governor because of a state emergency is entitled to receive emergency leave without loss of military or annual leave.

CALL TO NATIONAL DUTY, U.S. ARMED FORCES RESERVE BRANCH An eligible employee called to active duty during a national emergency by a reserve branch of the U.S. Armed Forces will have a leave of absence. The employee accrues service credit while on such leave but does not accrue vacation or sick leave. However, the employee retains any accrued sick or vacation leave and will be credited with those leave balances upon return.

RESTORATION OF EMPLOYMENT Any employee who is restored to a position upon returning from military service is considered to have been on a leave of absence during his/her time of federal or state military service. The employee is entitled to participate in retirement and other benefits to which he or she is or may be entitled.

To be eligible for restoration to his or her previous employment upon returning from military service, the employee must have been honorably discharged no later than the fifth anniversary of the date of call to active military service, and be physically and mentally qualified to perform the duties of that position.

Employees returning to work following military service under restoration provisions are entitled to include time spent on active duty with longevity of employment for purposes of vacation and sick leave entitlement. Returning employees do not accrue vacation or sick leave while on active military duty and are not considered employed by the City.

RELATED POLICES AND PROCEDURES 4.09 Leave of Absence

EFFECTIVE DATE November 9, 2000

4.09 LEAVE OF ABSENCE

PURPOSE	To provide guidelines and procedures related to leave of absence.
POLICY	<p>A leave of absence is an approved absence from duty in a non-pay status for not more than six months. Granting a leave of absence is at the discretion of the City Manager. Such leave is not authorized unless all applicable accrued paid leave has been exhausted and there is a reasonable expectation that the employee will return to employment with the City at the end of the approved period. Approval of the leave must be documented and placed in the employee's personnel or medical file, as appropriate.</p> <p>An extension may be granted by the City Manager. A careful review of the request must be conducted prior to authorizing any extension. The reason(s) for granting the extension must be documented in writing in the employee's personnel or medical file, as appropriate.</p> <p>Employees on leave of absence without pay receive no compensation and accrue no benefits. However, previously accrued leave balances, benefits, and seniority are retained during leaves of absence unless otherwise prohibited by the terms of the benefit programs. Medical insurance can be continued if the employee pays the premiums (including the City's portion) in full in a timely manner. The City's insurer may limit the length of time that the medical benefits may be continued.</p>
REVOCATION OF LEAVE OF ABSENCE	A leave of absence without pay may be revoked upon receipt of evidence submitted that the cause for granting the leave was misrepresented, or has ceased to exist, or due to a legitimate business need.
DOCUMENTATION	A summary of the basis for the decision to grant or deny an unpaid leave of absence and the terms of the leave will be prepared by the City Manager or his or her designee and placed in the employee's personnel file.
RETURN WORK AFTER LEAVE WITHOUT PAY	<p>TO Upon returning to work following a leave of absence, an employee may receive an adjusted employment date and adjusted anniversary date, which reflect the period of time that the employee used for leave of absence.</p> <p>At the conclusion of a leave of absence, every effort will be made to reinstate the employee to the same, or a comparable position.</p>

**RELATED
POLICIES AND
PROCEDURES** 7.09 Worker's Compensation

EFFECTIVE DATE November 9, 2000

4.10 ADDITIONAL LEAVE

PURPOSE	To provide guidelines for leaves not addressed in other policies.
POLICY	The City's policy is to provide paid and unpaid leave outside of accrued leave in certain circumstances.
ADMINISTRATIVE LEAVE	The City Manager and Department Directors may authorize administrative leave, with or without pay, when warranted by unforeseen circumstances not otherwise provided for in these policies.
WORKERS COMPENSATION ON-THE-JOB INJURY LEAVE	Information on occupational disability or injury leave for bona fide, on-the-job, work-related injuries is covered in detail in this manual.
CIVIL LEAVE / JURY DUTY	<p>Employees are entitled to civil leave with pay for jury duty, for serving as a subpoenaed witness in an official proceeding, and for voting.</p> <p>When an employee has completed civil leave, he or she must report to the City for duty for the remainder of the workday. If the employee will be absent from work for more than one workday on civil leave, he or she must notify the appropriate supervisor daily. Documentation verifying your participation on a jury or as a witness must be attached to timesheet.</p>
RELATED POLICIES AND PROCEDURES	7.09 Worker's Compensation
EFFECTIVE DATE	November 9, 2000

4.11 CATASTROPHIC LEAVE POOL

PURPOSE

To establish a leave pool that will allow employees who want to support their colleagues facing a FMLA qualifying event, when eligible employees have exhausted all leave balances.

POLICY

Employees may donate sick or vacation leave to the Catastrophic Leave Pool ("Pool") so that eligible employees will be able to remain on a paid status for a longer period of time. The amount of leave for the Pool is dependent upon the donations by employees.

GENERAL PROVISIONS

For an employee to be eligible to receive hours from the Pool, the employee must have a FMLA qualifying event which is estimated to last for at least 30 calendar days from onset of FMLA qualifying event. In addition, the following requirements must also be met:

- The employee must be regular full-time or regular part-time status;
- The employee must have at least twelve months of employment with the City of Round Rock;
- The employee must have exhausted all paid leave balances;
- The employee must not have been disciplined for leave abuse during the 12 month period immediately preceding the qualifying event; and
- The employee must have donated to the Pool within the 12 month period immediately preceding the qualifying event.

DEFINITIONS

Eligible Family Member: spouse, son, daughter, or parent, as defined by the FMLA.

FMLA: the Family and Medical Leave Act of 1993, as amended.

FMLA Qualifying Event: an event or condition which qualifies an employee for entitlement for leave under Section 102 of the FMLA.

Employee Designee: any person(s) the employee designates either through power of attorney or other legally recognized document, to act on behalf of the employee in the event of a catastrophic injury or illness in which the employee is physically or mentally incapacitated.

DONATIONS

Donations to the Pool are strictly voluntary and are at the discretion of the employee. The donation process will occur quarterly and all donations are irrevocable.

- Employees who donate hours from sick or vacation leave balances must have a remaining balance (of the donated leave type) in excess of 100 hours. Donations from non-firefighting employees must be made in eight (8) hour increments and donations from firefighting employees must be made in twelve (12) hour increments. Exceptions to the 100 hour balance for donations must be approved by the employee's supervisor and the Human Resources Director.
- Donations may be made once per quarter and are irrevocable.
- Employees may not designate who the recipient of their donated hours will be; hours from the Pool will be distributed to employees who apply and are eligible.
- Employees separating service from the City of Round Rock are strongly encouraged to donate their Sick Leave to the Pool. Such donation may not exceed 80 hours.
- Should the balance of the Pool fall below 720 hours, the City reserves the right to call for donations.

PROCESS FOR APPLICATION

Employees who have exhausted all paid leave due to a FMLA qualifying event must follow the application process to request leave from the Pool.

Employees experiencing an FMLA qualifying event who are not able to complete the application process may appoint a designee to initiate and complete the process.

RECEIPT AND USE OF DONATIONS

All applications must be submitted to the Benefits Manager or designee for processing. A medical professional will review all applications for authorization of leave from the Pool.

After an application for Catastrophic Leave has been received and the FMLA qualifying event is verified, the amount of leave time to be granted from the Pool, if any, will be determined the reviewing medical professional.

All Pool hours must be used on a continuous and uninterrupted basis until the earliest of the following occurs:

- Amount of leave time granted from the Pool is exhausted
- The employee is released to return to work
- The employee's employment terminates
- The FMLA qualifying event is resolved or terminated

Any Catastrophic Leave, which has been granted, but not used, will be added back to the Pool.

All requests submitted to the Human Resources Benefits Manager will be considered on a first-come/first-served basis, with priority given in the following manner:

- First priority: applications involving eligible employees who themselves are experiencing an FMLA qualifying event.
- Second priority: applications from employees who are experiencing an FMLA qualifying event based on the condition or status of an eligible family member.

**MAXIMUM
HOURS**

Eligible employees may not receive more than 240 hours from the pool in a twelve month period.

**RELATED
POLICIES AND
PROCEDURES**

4.04 Vacation Leave

4.05 Sick Leave

4.06 Family and Medical Leave Act

City Portal - Catastrophic Leave Pool Application Process

City Portal – Catastrophic Leave Pool Donation Process

**EFFECTIVE
DATE**

February 25, 2010

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5.01 PROFESSIONAL WORK ENVIRONMENT

PURPOSE To provide guidelines for work standards and conduct.

POLICY The City is committed to fostering an environment where employees treat each other and the public with professionalism, dignity, and respect.

The general guidelines in this policy introduction provide the baseline or foundation for the workplace policies included in the section. Workplace policies provide detailed information, including procedures necessary for policy implementation and consequences of violations of professional conduct.

Employees are expected to conduct themselves professionally at all times on the job and to act in a manner that brings credit to themselves, the City, and the public we serve. Excellent customer service is top priority.

CAUTION The guidelines and policies in this section are not exhaustive. Good judgement and consultation with your supervisor should be used to evaluate any issues not specifically addressed by this policy manual.

Violation of this policy occurs if any on-the-job conduct is outside the scope of professional behavior, common courtesy and excellent customer service and if any conduct breaks any City policy or state or federal law.

REPORTING VIOLATIONS All employees must report violations of the Human Resources Policies & Procedures Manual to their Department Director immediately. Failure to report a violation may result in disciplinary action, up to and including termination.

REPORTING CRIMINAL ACTS All employees must immediately report criminal acts committed by other employees during the course and scope of their duties to the Police Department and to the Risk Manager, followed by an immediate report to the Department Director. Failure to report a criminal act may result in disciplinary action, up to and including termination.

GENERAL GUIDELINES Maintain professional conduct and provide excellent customer service
Professional behavior entails accurate, responsible, courteous, and helpful responses to the public and co-workers.

Violent behavior, abusive language, rudeness, disruption of others, insubordination, harassment or any form of discrimination is expressively prohibited and is considered grounds for disciplinary action, up to and including termination.

Weapons

It is strictly prohibited for City employees, who are not sworn police personnel, to carry firearms or other weapons while performing official business in the field or in the office. Additionally, with the previously identified exception, weapons are prohibited on City property. Any employee found to be in violation of this policy is subject to disciplinary action, up to and including termination of employment.

Drugs/Alcohol

Having, allowing or consuming illegal drugs or alcohol on the work premises is grounds for disciplinary action, up to and including termination of employment. This is consistent with the Fit for Duty policy in this manual.

Strikes or Slow-downs

Participation in strikes or slow-downs is prohibited by law.

Observe City Work Hours

Observe all leave and work hours policies. Promptly notify your supervisor if you are (or expect to be) late or absent; notify your supervisor no later than thirty minutes from the time you are due at work. Avoid frequent lateness, leaving work without permission, or unexcused absence.

Unauthorized absence from work may be considered a resignation by the supervisor. Unless the supervisor determines otherwise, the resignation is not in good standing and the employee is not eligible for re-employment.

Two days of absence without notification to your supervisor is considered abandonment of the position and is grounds for termination.

Smoking prohibition

Smoking is not allowed inside any City building. Smoking in City vehicles is also prohibited.

Record and report information accurately

Record all information accurately and honestly. Examples include: travel vouchers, time sheets, and mileage records. Dishonest reporting of information or tampering with or altering City records is strictly prohibited and is grounds for disciplinary action, up to and including termination.

All arrest, indictments or convictions must be reported to your supervisor or to the Human Resources Director. If you have driving duties, you must notify your

supervisor of any moving violation convictions.

**RELATED
POLICIES AND
PROCEDURES**

3.02 Time Reporting

5.00 Professional Conduct and General Work Place Policies 5.01 – 5.16

**EFFECTIVE
DATE**

November 9, 2000

October 9, 2008

5.02 PRIVACY EXPECTATION

PURPOSE To effectively communicate the accountability and responsibility each employee has when he/she works for the City.

POLICY Employees are responsible for a level of confidentiality that will preserve an environment that supports sincerity, honesty, and ethical behavior.

As public sector employees supported by public funds, employees should not expect privacy in their work, workstations, and/or anything that belongs to the City used to produce that work. Official government records, most types of electronic and written communication, unless it fits an exception to disclosure, may be made available to the public upon written request in accordance with procedures defined in the Public Information Act.

Any materials brought into the workplace, such as personal effects, briefcases, purses, vehicles, and so on, or City property, such as desks, files, and computer directories held or used by the employee, may be subject to search if a reasonable suspicion exists. This includes but is not limited to an employee being suspected of theft, possession or use of alcohol, prohibited drugs, or drug paraphernalia or other misconduct. If the employee is available, he or she will be asked to consent to the search. However, the City reserves the right to conduct a search when a reasonable suspicion exists.

Any search will be conducted as privately as possible, involving only persons with a need to know and only with the authorization of the City Manager or his/her designee.

RELATED POLICIES AND PROCEDURES 6.03 Internal and External Electronic Communications

EFFECTIVE DATE November 9, 2000

5.03 ETHICAL STANDARDS

PURPOSE To establish high standards of professionalism and to ensure a high level of trust among employees and between employees and our community.

POLICY All employees are expected to maintain a high level of personal and professional conduct on the job. As a public service organization, City employees are held to a high standard of ethical conduct. Employees should conduct themselves in a manner that ensures those high standards are met, avoiding even the appearance of impropriety.

PROHIBITIONS Employees whose conduct is in violation of conduct standards are subject to disciplinary action. Consistent with the public trust, City of Round Rock employees **must not**:

- use their official position to secure special privileges or exemptions, whether direct or indirect, for themselves or others;
- disclose any confidential information by privilege of the employee's position concerning the property, operations, policies, or affairs of the City, or use such confidential information to advance any personal interest, financial or otherwise, of such employees or others;
- misappropriate City funds, property or assets, including theft and unauthorized use;
- falsify documents or City records;
- behave in any manner (this includes commission and/or convictions of a felony and certain misdemeanors) which causes discredit to the employee and/or brings the City in disrepute; or
- accept any gift or free service that might tend to influence his/her official actions or impair his/her independence of judgment in performance of duties for the City.

By no means is this list all-inclusive. Any conduct of an employee that disrupts the work environment or places the personal interest of the employee above those of the City or of the public may be treated as a violation of the public trust and is subject to disciplinary action, up to and including dismissal.

**RELATED
POLICIES AND
PROCEDURES** 5.04 Conflict of Interest

**EFFECTIVE
DATE** November 9, 2000

5.04 CONFLICT OF INTEREST

purpose	To establish expectations of conduct when City employees are faced with a potential conflict of interest.
POLICY	The City Council has adopted an ordinance for standards of conduct and financial disclosure for the officers and employees of the City. All employees are expected to be familiar with and abide by this ordinance. Copies are available from Human Resources.
RELATED POLICIES AND PROCEDURES	<p>5.03 Ethical Standards</p> <p>Standards of Conduct and Financial Disclosure for City Officials - (Ordinance No. 2469 of April 26, 1990 as amended by Ordinance No. 2518 of November 8, 1990 and Ordinance No. G-02-09-12-12A1 of September 12, 2002)</p>
EFFECTIVE DATE	November 9, 2000

5.05 POLITICAL ACTIVITY

PURPOSE To provide guidelines for maintaining a work atmosphere that is free of undue political influence.

POLICY Employees of the City are encouraged to vote and to exercise other prerogatives of citizenship consistent with state and federal law and these policies.

No person may coerce an employee to participate in, or to refrain from participating in, a political campaign. No one may require an employee to contribute to any political fund, render any political service, or support any political election. No one may punish an employee in any way for refusing to do so.

PROHIBITIONS An employee, in his or her official capacity, may not:

- use his or her official authority or influence to interfere with or affect the result of an election or nomination for office;
- directly or indirectly coerce, attempt to coerce, command, or advise a local or state officer or employee to pay, lend or contribute anything of value to a party, committee, organization, agency or person for a political purpose;
- use funds provided by the State of Texas to influence the passage or defeat of any legislative measure in the Texas legislature or the outcome of any election; or
- use his or her working time or City resource to participate in any political campaign.

In addition, any City employee who is subject to the provisions of the federal Hatch Act may not be a candidate for elective office in a partisan election. (A partisan election is an election in which candidates are to be nominated or elected to represent a party whose candidates for presidential electors received votes in the last preceding election at which presidential electors were selected.) City employees are subject to this additional Hatch Act restriction if their principal employment is in connection with an activity, which is financed in whole or in part by loans or grants made by the federal government.

All City employees are prohibited from participating in any way in any political activity while wearing a City uniform, regardless of whether the employee is on duty or on his or her own time. In addition, no City employee may use City-owned property, (i.e. vehicle, building, and/or office), for displaying campaign materials or for conducting any political activity.

An employee's political activity, not in violation of this section, shall not be considered in determining his or her compensation, eligibility for promotion or demotion, work assignment, leave or travel request, or in application of other employment practices to the employee.

**CANDIDATES
FOR ROUND
ROCK CITY
COUNCIL**

No employee of the City shall continue in such position after filing for an elective office of the City. (§ 5.02 (a)(3) Round Rock Charter)

**ELECTION TO
OTHER
POLITICAL
OFFICE**

Any City employee wishing to file for political office other than the Round Rock City Council must notify the City Manager prior to filing. Additionally, any employee who is being considered for an appointment to any political office shall notify the City Manager prior to the acceptance of such appointment. The City Manager may review this matter to determine if potential conflicts of interests or other concerns exist.

**RELATED
POLCIES AND
PROCEDURES**

5.04 Conflict of Interest

**EFFECTIVE
DATE**

November 9, 2000

5.06 SOLICITATION OF FUNDS FOR CITY PROJECTS

PURPOSE To establish general guideline related to solicitation of funds.

POLICY At times, projects may be undertaken whereby funds are solicited from private citizens, businesses, and organizations on behalf of the City. Before any solicitation of funds is begun, however, the Department Director must notify and receive the approval of the City Manager. Participation on the part of any City employee in a fund-raising effort on behalf of the City is strictly voluntary.

RELATED POLICIES AND PROCEDURES

**EFFECTIVE
DATE** November 9, 2000

5.07 TELEPHONE USE

PURPOSE To provide guidelines for responsible use of City telephones.

POLICY Telephones are to be used for City business. It is understood that occasionally personal calls are necessary; however, use of telephones for local personal calls should not interfere with performance of job duties.

City employees may not place personal long distance telephone calls on City telephone equipment unless the charges will be billed directly by the telephone company to the individual's personal account.

If the City furnishes a City employee with mobile phone service, the employee must abide by the policy related to mobile telephone use.

OFF-DUTY CONTACT NUMBERS All supervisory and service personnel must furnish the City a telephone number at which they can be reached during off-duty hours or have ready access to a telephone which they could use to respond to a page. Employees do not receive either additional compensation or reimbursement for maintaining this telephone service.

VOICE MAIL The voice mail system is designed for improved customer service. Employees must use the system appropriately, keeping in mind that effective communications via telephone are an integral part of establishing and maintaining quality customer service.

RELATED POLICIES AND PROCEDURES 5.08 Use of City-Owned Mobile Telephones

EFFECTIVE DATE November 9, 2000

5.08 USE OF CITY-OWNED MOBILE TELEPHONES

PURPOSE To establish policy and procedures related to the acquisition and use of City-owned mobile telephones.

POLICY It is the policy of the City of Round Rock that mobile telephones are a tool to enhance productivity. Employees are fully responsible for the cost-effective use and care of the tool.

Like all other City assets and resources, mobile telephones are acquired with public funds to enable City employees to transact City business in the most efficient and cost effective method possible. Employees have no legitimate expectation of privacy when using this resource.

GENERAL CRITERIA As a general rule the following employees are eligible for City-owned mobile telephones:

- Employees who serve in public safety capacities and who by job title and responsibility routinely serve or are subject to serve in command or field coordinator roles for actual incidents or rehearsals for incidents that may threaten public safety and well-being.
- Employees with whom immediate and direct telephonic communications are necessary in the performance of their job responsibilities and organizational duties. Radios should be the first method of communication with other City employees who also have access to a radio.
- Employees with assigned duties and responsibilities that require mobile communication access and where a mobile telephone provides economic or functional benefits over and above other means of mobile communications.

RESPONSIBILITIES

Departments are responsible for:

- Reviewing established criteria in order to determine which employees have legitimate business needs to have a mobile telephone assigned to them.
- Submitting requests for mobile phones and other equipment from Purchasing Requests. These requests must include appropriate information relating to charging of accounts.
- Ensuring employees protect and maintain all mobile phones.
- Returning all mobile equipment to Purchasing when an individual is reassigned or terminates employment. Purchasing will be responsible for reassigning equipment as needed.
- Initiating requests to maintain a limited number of mobile telephones to be routinely assigned to their work crews on standby. Logs detailing the name of individual who checked out the telephone and the date(s) used should be maintained.
- Coordinating the audit process between Purchasing and employees selected for review of monthly bill(s).
- Administering disciplinary actions as outlined in this policy to employees who violated this policy and/or an administrative directive regarding Use of City-Owned Mobile Telephones.

RESPONSIBILITIES

Employees are responsible for:

- Ensuring that the mobile telephone is to be used with few exceptions for City business. Personal calls should be limited to issues related to health, safety, or family emergency.
- The repair or replacement cost of the unit in the event that the telephone is damaged, lost, or stolen due to negligence on the part of the employee.
- Using radios or the radio feature as the first method of communications with other City employees who also have access to a radio.
- Complying with routine requests to review monthly bill(s) as part of the affected department or Finance Department audit or control process review.
- Maintaining and operating the mobile telephone and associated equipment consistent with all manufacturing guidelines and City directives.

Purchasing Division is responsible for:

RESPONSIBILITIES

- Purchasing and assigning mobile telephones and numbers.
- Maintaining a perpetual inventory of all mobile phones.
- Maintaining appropriate records.
- Maintaining telephone and mobile phone contact information on employees.
- Maintaining a supply of mobile phones that may be checked out by an individual who occasionally goes into the field or travels from the office and must maintain contact with the office.
- Ensuring resolutions to problems related to service and equipment.
- Reviewing monthly bills of mobile telephone utilization and conducting random audits on a monthly basis.
- Coordinating auditing activities with specific department as needed.

ENFORCEMENT

The City recognizes that short periodic personal calls (less than three (3) minutes) are reasonable to check on a family member, change a doctor's appointment or follow-up on personal business needing immediate attention. During routine audits, a personal call greater than three minutes in duration or more than 3 calls daily to or from the same number may be deemed a violation of this policy and subject to disciplinary action.

Violation of this policy and/or a related administrative directive will be grounds for disciplinary action, up to and including termination.

The following shall be the general rule for discipline:

- First offense, an oral warning;
- Second offense, beginning of progressive disciplinary process of a written reprimand and reimbursement of actual cost;
- Third offense, 1 day suspension without pay and reimbursement of actual cost;
- Fourth offense, further disciplinary action up to and including termination.

However, if the violation is judged to be excessive, regardless of whether it is the first offense or higher, the employee shall be disciplined accordingly, up to and including termination.

**RELATED
POLICIES AND
PROCEDURES**

- 5.03 Ethical Standards
- 5.15 Use and Care of City Property
- 8.06 Performance Management Process
- Administrative Directive, "Use of City-owned Mobile Telephones"

**EFFECTIVE
DATE**

Revised March 25, 2004

5.09 QUALITY OF WORK

PURPOSE To reinforce the City's commitment to provide the best customer service and highest standards of professionalism to the citizens of Round Rock.

POLICY It is the duty of each employee to maintain high standards of productivity, cooperation, efficiency and economy in his/her work for the City. Supervisors shall organize and direct the work of their departments/divisions to achieve these objectives. Employees are obligated to follow directions given by their supervisors to achieve departmental/divisional goals and objectives.

If work habits, behavior, production or personal conduct of an employee falls below appropriate standards, supervisors should point out the deficiencies at the time they are observed. Counseling and warning the employee in sufficient time for improvement shall customarily precede formal actions as stated in other policies.

**RELATED
POLICIES AND
PROCEDURES** 8.06 Performance Management Process

**EFFECTIVE
DATE** November 9, 2000

5.10 WORKPLACE VIOLENCE

PURPOSE To clearly state the City's position related to workplace violence.

POLICY The City of Round Rock has zero tolerance with respect to workplace violence or the threat of violence. The City does not tolerate any type of workplace violence committed by or against employees. Employees are prohibited from making threats or engaging in violent activities. Employees who violate this policy shall receive disciplinary action, up to and including termination.

The City provides a safe workplace for all employees. To ensure a safe workplace and to reduce the risk of violence, all employees must review and understand all provisions of this workplace violence policy.

GUIDELINES Employees, who are victims of threats or any other intimidating or violent behavior, should immediately report the conduct to the supervisor, other appropriate authority and to the Human Resources Department.

Prohibited Conduct

This list of behaviors, while not inclusive, provides examples of conduct that is prohibited:

- causing physical injury to another person;
- making threatening remarks;
- aggressive or hostile behavior that creates a reasonable fear of injury to another person or subjects another individual to emotional distress;
- intentionally damaging City property or property of another employee;
- possession of a weapon while on City property or while on City business except for authorized police personnel; or
- committing acts motivated by, or related to, sexual harassment or domestic violence.

Reporting Procedures

Any potentially dangerous situations must be reported immediately to a supervisor or the Human Resources Department. Reports can be made anonymously and all reported incidents will be investigated. Reports or incidents warranting confidentiality will be handled appropriately and information will be disclosed to others only on a need-to-know basis. All parties involved in a situation will be counseled and the results of investigations will be discussed with them. The City will actively intervene at any indication of a possibly hostile or violent situation.

Risk Reduction Measures

- **Hiring:** Human Resources takes reasonable measures to conduct background investigation to review applicants' backgrounds as appropriate and reduce the risk of hiring individuals with a history of violent behavior.
- **Safety:** The City conducts annual inspections of the premises to evaluate and determine any vulnerability to workplace violence or hazards. Reasonably corrective actions will be taken to reduce risks.
- **Individual Situations:** While the City does not expect employees to be skilled at identifying potentially dangerous persons, employees are expected to exercise good judgment and to inform the Human Resources Department if any employee exhibits behavior, which could be a sign of potentially dangerous situations. Such behavior includes:
 - discussing weapons or bringing them to the workplace;
 - displaying overt signs of extreme stress, resentment, hostility, or anger;
 - making threatening remarks;
 - sudden or significant deterioration of performance; or
 - displaying irrational or inappropriate behavior.

Dangerous/Emergency Situations

Employees who confront or encounter an armed or dangerous person should not attempt to challenge or disarm the individual. If a supervisor, Human Resources or Police Department staff member can be safely notified of the need for assistance without endangering the safety of the employee or others, such notice should be given. Otherwise, cooperate and follow the instructions given.

Enforcement

Threats, threatening conduct, or any other acts of aggression or violence in the workplace will not be tolerated. Any employee determined to have committed such acts will be subject to disciplinary action, up to and including termination. Non-employees engaged in violent acts or threats on the City's premises or while attending to City related business will be reported to the proper authorities and fully prosecuted.

RELATED POLICIES AND PROCEDURES

7.01 Safe Work Environment

EFFECTIVE DATE

November 9, 2000

5.11 OUTSIDE EMPLOYMENT

PURPOSE To promote trust, ensure high quality service to our customers and encourage loyalty to City services.

POLICY Employees may not engage in any outside employment, including self-employment, where such activity would (1) be inconsistent or incompatible with employment with the City; or (2) affect the employee's job performance adversely.

GUIDELINES Requests for outside employment will be submitted to the employee's supervisor prior to beginning long-term outside employment.

Supervisors are responsible for monitoring their employee's performance and determining any significant impairment that may be due to outside employment. The supervisor must report any concerns to the Department Director.

Should a supervisor determine that an employee's outside employment interferes with the effective performance of assigned City duties, the supervisor is authorized to take whatever action is deemed appropriate to eliminate the impairment, which may include requiring the employee to terminate the outside employment or resign from the City's employment.

ON-THE-JOB INJURY If a City employee is injured in the course of outside employment, the employee may not file a Workers' Compensation claim against the City for benefits related to the injury, regardless of the fact the outside employment has been approved by his/her supervisor.

The filing of a Workers' Compensation claim in this situation will be considered falsification of documents and is grounds for disciplinary action, up to and including termination.

Additionally, any City employee who files a Workers' Compensation claim for an on-the-job injury while performing City duties must report any outside employment to the Risk Manager. In support of the City's return to work program, reporting this information will ensure that any outside work activities performed by the employee will not cause any negative impact on the employee's current physical/medical condition.

RELATED POLICIES AND PROCEDURES

**EFFECTIVE
DATE** November 9, 2000

5.12 UNIFORMS AND GENERAL DRESS GUIDELINES

purpose To provide general guidelines on appropriate dress and professional appearance for employees.

POLICY This policy addresses three types of clothing: 1) Uniforms; 2) City Logo Apparel; 3) City Logo Department Apparel.

All clothing types are provided to eligible employees for identification and for personal convenience. It is the City's policy that employees who are issued uniforms shall wear them during all scheduled work hours at the City.

The wearing of Uniforms or City Logo Department Apparel when not representing the City in the course and scope of an employee's work assignment is prohibited.

Employees who are not provided with uniforms shall dress in a manner appropriate for their duties which present a professional and businesslike appearance.

This policy does not prohibit an employee from wearing Uniforms or City Logo Department Apparel while traveling immediately to or from his/her work location.

DEFINITION **"Uniforms"** shall include: Uniform company issued attire consisting of pants, shorts, and City Logo Department Apparel. As used herein, "uniforms" does not include Police or Fire Department uniforms for sworn personnel.

"City Logo Apparel" means clothing that bears the name of the City of Round Rock only.

"City Logo Department Apparel" means clothing that bears the name of a City of Round Rock department or division.

GUIDELINES Uniforms are furnished for employees who in the course of their regular job duties meet the following criteria:

- Fostering public safety - (when the employee must be readily identifiable to the public as a figure of authority or when the employee's duties require frequent access to private property in an official capacity)";
 - Maintaining employee safety - (where the uniform provides a degree of protection not afforded by street wear, e.g. overalls, smocks, etc.);
 - Preventing employee hardship - (when the nature/extent of the position poses a greater chance in the of degradation of clothing due to excessive
-

- dirt, grease or corrosive materials, etc); and
- Adhering to professional or trade practices - (where certain types of dress conform to the expectations of the organization and the employee needs to be identified as a part of a specific work group).

Uniforms shall not be provided:

- To enhance employee or organizational morale or esprit de corps;
- To augment an employee's compensation; or
- To substitute for a normal, common sense dress code or the enforcement of such a code.

Appearance:

- Employees clothing must be neat, clean, and not noticeably worn, torn, or patched.
- Employees shall not display any tattoos, body art or branding with an offensive design, logo, or wording.
- Clothing brand logos and collegiate are acceptable. The commercial names and logos of hotels, casinos, bars; alcohol or drug related logos or slogans; other advertising; and obscene, suggestive or slang logos shall not be worn. Additionally, clothing advertising company's that the City may have business dealing with should not be worn (e.g. contractors, service providers, etc.).
- Clothing not generally accepted as casual business attire will not be allowed – e.g., halter tops, spaghetti strap dresses/tops, exposed midriff, back-less dresses, transparent or semi-transparent fabrics, extremely short dresses or skirts, form-fitting shirts, blouses, sweaters and trousers.
- Sleeveless shirts, blouses or sweaters may be worn provided they do not expose any part of the undergarments.
- Appropriate footwear includes: tennis shoes, sandals, "dress" shoes, flats, heels and boots.

Uniformed Personnel

- Employees must wear shirts, trousers, and shoes at all times while on the job.
- Employee uniforms must present a neat, clean appearance, particularly at the beginning of the workday. Trousers may not be frayed. No cut-off shorts or shirts may be worn and clothing should be free of holes and tears.
- Shirts must be buttoned properly.
- Shirts must be tucked in unless tucking creates a hindrance to the performance of the task and/or creates a health or safety issue.
- Uniforms shall be replaced that become unsuitable due to normal wear and tear at work.
- Safety shoes, protective eyewear and other personal protective items shall be worn in accordance with the applicable safety rules and directives.

**VENDOR ISSUED
UNIFORMS**

Uniformed Field Employees/Supervisors

Uniform shirts, trousers, and tee shirts are provided at no cost to the employee. The uniform shirts and trousers are property of the service provider and must be turned in at termination of employment. City logo may be

retained by the employee.

An initial inventory of items provided to the employee will be made and the employee shall be required to sign the inventory list indicating he/she has possession of the items.

Replacement of items that are lost or damaged (other than through normal wear and tear) shall be the responsibility of the employee.

If an employee discovers loss or damage to their uniform(s), other than normal wear, they should report this fact to their supervisor not later than the beginning of the next workday following discovery of the loss or damage.

Employees separating from employment with the City must turn in all vendor issued items. If the appropriate number of items is not returned, the contract replacement cost will be deducted from the employee's final paycheck.

Departments/Divisions **may provide specific guidelines regarding the actual number of uniforms issued to the employees depending on the nature of the work performed. Directors may authorize the wearing of uniform shorts by employees when it will not interfere with their work performance, or, it can be done without creating a greater safety risk than would otherwise exist and when the general public would normally accept it as common practice.**

Department Directors or their designee **may authorize the purchase of overalls and jackets (cold weather gear) for those employees whose positions require them to work outside during extreme cold weather.**
EMPLOYEE RESPONSIBILITY

PROBLEM RESOLUTION

Employees must notify their supervisor of complaints and/or discrepancies related to vendor services. This includes damages, laundry service, repairs, etc.

- **Employees may not donate clothing with department, and/or division identification to charitable organizations (e.g. Goodwill, Salvation Army, The Red Cross, etc.).**
- Uniform clothing and clothing with department, and/or division identification may not be worn by anyone who is not an employee of the City of Round Rock.
- **All employees that separate from employment with the City must return all assigned uniform items. In the event an employee fails to return all assigned uniform items, the contract replacement cost of the uniforms will be deducted from the employee's final paycheck.**

SUPERVISOR RESPONSIBILITY

- Communicate the City's general policy on uniform, dress, and appearance as well as department/division specific policies.
- Evaluate the dress and appearance of employees under their supervision. If an employee is not dressed appropriately, the supervisor must take appropriate actions. Actions may include:

(1) On the first occasion, oral warning will be given to the employee and the City's and/or department's dress and appearance policies shall be reviewed. The employee must acknowledge by signature.

(2) On the second infraction, a written warning will be given.

(3) Continued violations will result in other disciplinary action, up to and including termination.

- Anytime the dress or appearance of an employee is deemed inappropriate for the work environment, an employee may be sent home. The employee must use leave time to cover the time away from work.
- Supervisors are responsible for collecting all uniforms and City logo shirts depicting department and/or division identification upon an employee's termination or transfer to another department.

CONTRACT ADMINISTRATION

- Purchasing will ensure the resolution of any issues or complaints submitted by supervisors regarding the services provided by the vendor.
- Purchasing will notify supervisors of resolution progress with the vendor as necessary and will coordinate Quarterly updates with service providers and affected departments.

DEPARTMENT DRESS STANDARDS

Due to business needs, department may develop, uniform and dress standards that are stricter than the guidelines set forth in this policy.

RELATED POLICIES AND PROCEDURES

Departmental Policies and Directives

EFFECTIVE DATE

November 1, 2000
Revised March 25, 2004
Revised October 9, 2008

5.13 LABOR ACTIVITY

purpose To state the City's position on labor activities.

POLICY Nothing shall compel the City to recognize or engage in collective bargaining with any labor organization except as provided by or required by law.

Employees shall not engage in any strike. "Strike" includes:

- the concerted failure to report for duty;
- willful absence from one's position;
- unauthorized holidays;
- sickness unsubstantiated by a physician's statement when requested or medical examination when directed;
- the stoppage of work; or
- the refraining in whole or in part from the full, faithful, and proper performance of the duties of employment for the purposes of inducing, influencing, or coercing a change in condition, compensation, rights, privileges, or obligations of employment.

**RELATED
POLICIES AND
PROCEDURES** 9.01 Grievance Procedure

**EFFECTIVE
DATE** November 9, 2000

5.14 WHISTLE-BLOWER POLICY

purpose To clearly state the City's position related to the Whistle-Blower Act.

POLICY The City will not suspend, terminate, or otherwise discriminate against an employee who reports a violation of law to an appropriate law enforcement authority if the employee report is made in good faith.

**EMPLOYEE
RIGHTS** No employee will be harassed, suspended, terminated or otherwise discriminated against for exercising their rights.

Employee rights include:

- right and/or duty to report violations of law;
- right to report unsafe act or condition;

- right to file a Workers' Compensation Claim;
- right to file a grievance; and
- right to file a complaint of alleged discrimination.

**SUPERVISOR
RESPONSIBI-
LITY**

Supervisors are responsible for reporting any violation of this policy to the Department Director and/or City Manager.

**RELATED
POLICIES AND
PROCEDURES**

**EFFECTIVE
DATE**

November 9, 2000

5.15 USE AND CARE OF CITY PROPERTY

purpose To establish guidelines for employee use of and responsibility for City-owned or leased property and equipment.

POLICY City property and equipment shall be used for official business only. The use of any City equipment outside of official business purposes will be grounds for disciplinary action, up to and including termination.

DEFINITION ***City-owned or leased property and equipment*** is defined as all tools, equipment, (including vehicles and mobile equipment), and materials/supplies exclusively intended for use on official business in the City of Round Rock.

Examples of City property and equipment include, but are not limited to:

- Tools-such as hand tools (hammers, wrenches, shovels/rakes, etc.) and power tools (circular saws, drills, belt sanders, etc.);
- Equipment-such as gas powered equipment (chainsaws, weed eaters, generators, etc.) and mobile equipment (lawnmowers, tractors, gators, etc.); and,
- Materials/Supplies-such as bolts/nuts, topsoil/sod, paper/office supplies, and other associated work items.

Official business is defined as all work performed by employees for City directed purposes.

RESPONSI-BILITIES **Employees** are responsible for the care and maintenance of all City property and equipment assigned to them. Employees shall not entrust City property and equipment to anyone to be used for any reason other than City directed purposes.

Employees observing the use of City property and equipment outside of official City business and in conflict with this policy must report the incident to their Supervisor immediately.

Supervisors are responsible for maintaining inventory lists and monitoring the usage of all City property and equipment assigned to their employees.

If a Supervisor determines that an employee has misused City property and equipment in such a way that conflicts with this policy, the Supervisor must immediately report the incident to the Department Director/Division Manager for further action.

ENFORCEMENT	Employees may be held financially responsible for the misuse, loss, deterioration, and destruction of City property and equipment.
	Violation of this policy shall be grounds for disciplinary action, up to and including termination. Violations may also be subject to legal action.
RELATED POLICIES AND PROCEDURES	5.03 Ethical Standards 7.05.01 Official Use of City Vehicles
EFFECTIVE DATE	Revised March 25, 2004

5.16 CITY ISSUED PHOTO IDENTIFICATION BADGES

purpose To establish guidelines for employee use of and responsibility for City issued photo ID badges.

POLICY The City of Round Rock photo ID badges will be issued to all full-time and part-time City employees to be worn while on official business for the City of Round Rock.

Photo ID badges must be worn in accordance with departmental directives or carried on the employee in situations where wearing/displaying the identification badge poses a hazard to personal safety

NEW BADGES Photographs for ID badges will be taken and the ID badge will be issued by Human Resources on the employees' first day of work.

CARD USE Employees are responsible for the care and proper use of City issued photo ID badges.

City ID badges are issued for official use only and are not to be used for obtaining special privileges other than local merchant-sponsored discounts, etc.

CARD ABUSE Photo ID badges shall not be altered or defaced in any manner including affixing stickers or tags.

Photo ID badges shall not be lent to others.

Abuse, tampering, altering, or unauthorized use of the City photo ID badge may result in disciplinary action, up to and including termination

REPLACEMENT Employees may be charged a replacement fee for lost or damaged photo ID badges.

Lost and damaged badges must be immediately reported to the supervisor, who will then contact Human Resources. Supervisors will issue a temporary badge to be worn until the replacement ID badge is received from Human Resources.

There will be no charge to employees for photo ID badge replacement if:

- The employee is changing departments. Supervisors will contact Human Resources to request an updated ID badge for employees transferring into their department. Transferring employees do not need to have their photo

taken again if their photo is on file.

- The employee is changing names. Names will only be changed when the employee presents a valid drivers license and social security card issued in the new name. Employees who require a replacement badge because of a name change will not need to have their photo taken again, if the photo is already on file.

Whenever a replacement card is issued, the original ID card must be returned to the Human Resources Department unless reported as lost. Sworn Police and Fire personnel who are promoted may retain previously issued ID badges.

**EXPIRATION
DATE**

ID badges will have an expiration date. Employees are required to have a new photo taken and obtain a new ID badge from Human Resources prior to the expiration date.

There will be no cost for replacement of expired badges.

**SURRENDER OF
PHOTO
IDENTIFICATION
BADGES**

Employees will surrender their identification cards upon termination.

ID cards must be turned in to Human Resources before the terminating employee may receive his final pay check.

ENFORCEMENT

Employees who violate this policy will be subject to disciplinary action, up to and including termination

**RELATED
POLICIES AND
PROCEDURES**

**EFFECTIVE
DATE**

December 16, 2004

SECTION	PAGE
6.01 COMMUNICATION	6-2
6.02 <u>REQUESTS FOR PUBLIC INFORMATION</u>	6-4
6.03 INTERNAL AND EXTERNAL ELECTRONIC COMMUNICATIONS	6-5

6.01 COMMUNICATION

purpose To establish policy, procedures and guidelines for public communication between City officials and employees and those citizens, news media representatives and others requiring information concerning City issues, programs, projects, services and activities.

POLICY It is the policy of the City of Round Rock to encourage positive communication and to ensure the exchange of accurate, timely information among City Council members, City employees and administrators, citizens, media representatives and others interested in City issues, policies, operations and services.

The Communications Director is responsible for developing, directing and implementing the City's overall community and media relations function. The Communications Director will assist in the planning of key programs and projects to ensure that community and media relations concerns are fully considered.

The Communications Director will act as a consultant to City departments to design communications strategies for City services and programs, develop guidelines for publications, and coordinate a consistent graphic identity for the City.

MEDIA City departments and their staff, in cooperation with the Communications Director, have a joint responsibility to initiate and develop community relation's material, whether printed, displayed or produced through audio/visual media. The departments will consult with the Communications Director to ensure the presentation of a consistent, positive, and professional image for the City. Non-routine materials shall be routed through the Communications Director at an early stage for review and for approval at the final draft stage.

RESPONSIBILITY When information is requested by a non-media customer, each City official and employee shall respond in a professional, concise and timely manner – generally within the business day – within his or her area of responsibility and knowledge.

Each employee shall notify his/her supervisor when a potential communication problem or misunderstanding may develop and what action might mitigate the situation before it becomes a serious problem

When questions arise from the news media, a reasonable effort should be made to answer or address them in a timely manner - generally within the business day – and according to the following levels of responsibility:

- 1) A City employee who is contacted by the news media shall notify their supervisor and all staff who might be affected by the inquiry, giving them the details of the situation and possible implications.
- 2) If the issues discussed have serious, controversial, or citywide impact, the employee contacted shall provide that information to the Department Director, who, in turn, will provide the City Manager and Communications Director with a concise written or verbal report of the situation and a recommended action. This information will then be

passed on to the City Council.

City Council members, the City Manager and Assistant City Manager provide information on policy issues or issues which have citywide significance or impact.

Department Directors provide information on the planning, direction, effect, and status of policies and programs within their areas of responsibilities.

Project Managers provide specific information concerning the individual projects and services within their areas of responsibility, only after notifying their Department Director of the media request and receiving approval to handle the response.

**PUBLIC
INFORMATION**

Public Information requests (sometimes referred to as Freedom of Information Act) shall be forwarded immediately to the Assistant City Manager/City Secretary.

ACT REQUESTS

EXCEPTIONS

In the event of a natural or technological emergency/disaster, the City's Emergency Management Plan and procedures will take precedence. Section V, Page 9 of that document outlines Emergency Public Information and Communication procedures.

**RELATED
POLICIES AND
PROCEDURES**

Emergency Management Plan
6.02 Requests for Public Information

**EFFECTIVE
DATE**

November 9, 2000

6.02 REQUESTS FOR PUBLIC INFORMATION

purpose To provide guidelines for responding to requests for information under the Texas Public Information Act.

POLICY The City is committed to upholding the policy of the Public Information Act (PIA) and to insuring that the public's access to public information is protected. Requests for Public Information must be submitted in writing to the Assistant City Manager/City Secretary or forwarded to the Assistant City Manager/City Secretary upon receipt.

Information that is not confidential by law or information for which an exception to disclosure has not been sought will be released in accordance with the Public Information Act.

definition "Public Information" means information that is collected, assembled, or maintained under a law or ordinance or in connection with the transaction of official business; (1) by a governmental body; or (2) for a governmental body and the governmental body owns the information or has a right of access to it.

The City discloses public information unless one of the exceptions to disclosure listed in the PIA is applicable, or if the information is made confidential by other law.

RELATED POLICIES AND PROCEDURES

**EFFECTIVE
DATE** November 9, 2000

6.03 INTERNAL AND EXTERNAL ELECTRONIC COMMUNICATIONS

purpose To ensure the effective use of computer resources and staff time.

POLICY It is the policy of the City of Round Rock that electronic mail, Internet, and telecommunications access are resources made available for department employees to communicate on work-related issues with each other, other governmental entities, companies, and individuals.

GUIDELINES **Uses of electronic communication:**

- communicate with employees, vendors, or the public regarding matters within the employee's assigned duties;
- acquire information related to or designed to facilitate the performance of duties; and
- facilitate performance of any task or project.

Restrictions:

- Computer systems are not to be used for any non-departmental business or purpose during regularly scheduled work time without the approval of the employee's supervisor.
- The systems are not to be used for personal financial gain.
- Downloading or distributing copyrighted materials or software is prohibited.
- Unlawful activities or solicitations are prohibited.
- Transmitting threatening, pornographic/obscene, or harassing messages is prohibited.
- The viewing of pornographic/obscene materials is prohibited.
- Unsolicited e-mail which is unlawful or obscene should be removed from account immediately.
- Use of the e-mail system for advertising, soliciting, or promoting non-city activities and interests is prohibited.
- E-mail that is indiscriminately sent to all employees and is not city business related is prohibited.
- Instances beyond incidental use could be treated as a violation of this policy and dealt with in a disciplinary manner.

CONFIDENTIALITY E-mail must not be used to send confidential information. Even if it is erased, it can be retrieved and read. The use of passwords does not guarantee confidentiality. E-mail messages may be subject to the Public Information Act.

The City reserves the right to review, audit, intercept, and access and disclose

all messages created, received, or sent by e-mail.

**RECORDS
RETENTION**

Employees are encouraged to read, act upon, and delete or copy e-mail within 10 working days.

E-mail is not a medium appropriate for keeping the official record of any departmental document. All incoming and outgoing e-mail messages required to be retained by departmental records retention policies or the Texas Public

Information Act will be converted to paper copy. The record copy of agency documents should be kept in the hard copy file relating to the subject(s) it covers.

The initiator of an e-mail that is subject to the Public Information Act is responsible for printing a hard copy of the message and treating it according to standard records retention procedures. The initiator of an outgoing e-mail that is subject to the Public Information Act or the recipient of such e-mail originating from outside the City will make a paper copy of the correspondence and file according to standard records retention procedures. When printing e-mail to hard copy, the header file associated with the message will be saved in hard copy along with the message.

**POLICY
VIOLATION**

An employee who violates this policy may be subject to disciplinary action up to and including termination.

**RELATED
POLICIES AND
PROCEDURES**

6.02 Requests for Public Information

6.04 Computer Use and Software Applications

EFFECTIVE DATE

November 9, 2000

6.04 COMPUTER USE AND SOFTWARE APPLICATIONS

purpose	<p>To provide policies to ensure that publicly owned computer systems are maintained in an optimum condition, reduce the need for Information Technology and Communications (ITC) staff to correct problems created by software that they do not know, and slow down the spiraling costs of computing due to improper use of computers.</p>
POLICY	<p>Computers are provided to be used for City business. It is understood that occasionally personal use will be necessary; however, personal use of the computer should not interfere with performance of job duties.</p> <p>Non-exempt employees must obtain prior approval from their supervisor to use the computer for personal business after work hours.</p> <p>Employees wishing to install any software not previously approved by ITC must obtain permission from ITC.</p>
GUIDELINES	<ul style="list-style-type: none">· Users will not intentionally seek information on, obtain copies of, or modify files or data, belonging to other users unless permitted by such users.· Software used on all computers will be legal, licensed, copyrighted copies. While copies may be used for preview, once the preview period is over, the software must be removed.· Request for information stored in computer systems will follow the normal Public Information Act procedures. City Administration will be contacted for assistance when such requests occur.· Any changes to the networks will be made by authorized ITC staff.· Accounts and passwords are not to be shared with any other person without authorization. Users are expected to report any observations of attempted security violations.· Users will not connect to other agencies through a modem while they are connected to the internet through the T-1 lines.
SOFTWARE & ITC SUPPORT	<p>The Information Technology and Communications Division supports the following “off the shelf” software programs listed below. “Supports” is defined as providing staff assistance from the IT Department in solving problems created when using particular software applications.</p> <p>Software not listed below should be approved by the ITC before placing it on a city-owned computer. This includes software specific to ones job so that ITC is aware of potential problems that may occur. ITC should also be involved in the discussion when purchasing products unique to a profession (e.g., certain CAD, library, or police applications) that will be on the LAN and WAN to gauge the ability of the existing citywide network system to support major software applications running in a WAN environment.</p>

IT department supports:

- E-Mail Programs: Microsoft Outlook
- Browsers: Microsoft Explorer
- Virus programs: McAfee
- Microsoft: check with IT for Microsoft products supported beyond MS Office,
- Outlook, and Windows

IT department permits but does not support:

- Adobe software products
- Word Perfect
- GIS/CAD (ERSI's Atlas & ArcView; Bentley's Microstation; Autodesk's Autocat)
- Quark Express

**RELATED
POLICIES AND
PROCEDURES**

6.03 Internal and External Electronic Communication

**EFFECTIVE
DATE**

November 9, 2000

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7.01 SAFE WORK ENVIRONMENT

PURPOSE To provide policy and procedure to ensure adequate and necessary efforts to protect the safety, health and well being of City employees.

POLICY Causing or contributing to any unsafe and unhealthy working conditions and creating a hostile work environment by presenting direct or indirect acts of physical or verbal violence against employees, visitors, or other individuals on City property, at service locations, or in the course of carrying out City business, **will not be tolerated.**

No existing City policy, practice, or procedure should be interpreted to prohibit decisions designed to prevent a threat from being carried out, a violent act from occurring, or a life-threatening situation from developing.

CLARIFICATION

Reporting Threats- Employees are responsible for notifying their supervisor, Human Resources Department and/or Risk Manager of any threats which they have witnessed, received, or have been told that another person has witnessed or received. This includes behavior that could be interpreted as threatening.

Threatening Behavior- Any person who makes a substantial threat, exhibits threatening behavior, or engages in violent acts on City property shall be removed from the premises as quickly as safety permits and shall remain off City premises pending the outcome of an investigation.

SAFE AND HEALTHFUL BEHAVIOR- EMPLOYEES ARE MUTUALLY RESPONSIBLE FOR THE SAFETY AND WELL BEING OF ONE ANOTHER.

Employees shall follow safe working practices, obey adopted health and safety rules and regulations, and work in a way that maintains the highest safety and health standards developed and sanctioned by the City.

Employees must report all hazardous or potentially hazardous situations and unsafe working conditions to their immediate supervisor.

ACCIDENTS AND INCIDENTS- ALL ACCIDENTS, INCIDENTS, NEAR MISSES, UNUSUAL OCCURRENCES, AND ENVIRONMENTAL EVENTS SHALL BE REPORTED, RECORDED, AND INVESTIGATED IN ACCORDANCE WITH THE DEPARTMENT ACCIDENT PREVENTION PLAN.

Firearms- No unlawful or unauthorized weapons will be displayed, carried, or stored in any City facility, service location, or City vehicle, unless in the authorized performance of duty.

No firearms will be discharged unless in the authorized performance of duty and not in violation of other City, division, or department rules or regulations, City ordinance or state or federal law.

Disciplinary Action- Employees are required to exercise care and take necessary precautions to maintain a safe and secure/peaceful work environment. Violation of this policy may result in disciplinary action, up to and including termination.

REFERENCE Department Accident Prevention Plan

**RELATED
POLICIES AND
PROCEDURES**

- 5.01 Professional Workplace Environment
- 5.10 Workplace Violence
- 7.03 Fit for Duty
- 7.07 Reporting Accidents and Incidents

**EFFECTIVE
DATE** November 9, 2000

7.02 EMPLOYEE SAFETY AND WELL-BEING PROGRAM

purpose To provide guidelines to oversee the research, development, and implementation of appropriate programs in support of employees health, safety, and well being in accordance with the City HSE policy.

POLICY City Departments shall develop and implement programs and guidelines in accordance with the City Policy, the applicable regulatory standards, and related industry practices to achieve competency and satisfaction and to ensure that all City employees are fit for duty.

GUIDELINES City Departments shall take the initiative to conduct an assessment in order to identify relevant employee needs.

Department Directors shall appoint individuals to serve on the Safety and Well-Being Committee.

The Risk Manager and the Department representatives shall identify required programs and establish goals and objectives.

The Risk Manager identifies available resources and provides guidance throughout all phases of the program.

A plan must be submitted to the Department Director and to the Risk Manager for review and approval.

**RELATED
POLICIES AND
PROCEDURES** 7.01 Safe Work Environment
7.03 Fit for Duty

EFFECTIVE DATE November 9, 2000

7.03 FIT FOR DUTY

PURPOSE To provide policy and procedures related to the use of alcohol or use of controlled substances by City employees.

POLICY An employee shall not use, possess, sell or provide alcohol or controlled substances to any other employee or to any person while such an employee is on duty or on-call unless the employee is required as a part of his or her job to legally possess alcohol or controlled substances.

An employee shall not report for duty, or remain on duty, when using or testing positive for any controlled substance (except under instructions of a physician who has advised the employee that the substance does not adversely affect the employee's ability to perform his or her job safely).

Employees violating this policy will be subject to disciplinary actions, up to and including termination.

GUIDELINES A supervisor having reasonable suspicion that an employee is using, possessing, selling or providing alcohol or controlled substances to any other employee or to any person while such an employee is on duty or on call shall not permit the employee to perform or continue to perform any duties.

A supervisor having actual knowledge that an employee is under the influence, or a reasonable suspicion that an employee is under the influence of alcohol, shall not permit the employee to perform or continue to perform any duties.

A supervisor having a reasonable suspicion that an employee has used alcohol within 4 hours prior to coming on duty shall not permit the employee to perform or continue to perform any duties.

The supervisor may request that the employee report to Human Resources in order to initiate the process for testing for alcohol and controlled substances.

TRAINING

Supervisor- must complete training on alcohol misuse and on controlled substances use including how to determine whether reasonable suspicion exists to require alcohol and controlled substances testing.

Employee- must receive training on the policies and procedures of the alcohol and controlled substances testing program.

TESTING

Pre-employment- Applicants who receive a conditional offer of employment are required to take a pre-employment controlled substances screening test within 48 hours of receiving a job offer.

Post-Accident Process- Any employee involved in vehicle accidents while driving a City vehicle or driving a private vehicle while on City business is required to report immediately to the designated location for post-accident alcohol and controlled substances testing. Employees must report to their supervisor any accidents that occur while operating City-owned equipment.

Random- Employees who are required by their job description to hold a Commercial Drivers license, police personnel, personnel who perform safety-sensitive functions, and firefighting employees with a class B exemption are subject to random testing for alcohol and controlled substances.

Reasonable Suspicion- Employees are subject to reasonable suspicion testing for controlled substances and alcohol abuse. This will be based on objective facts and/or observable on duty behavior sufficient to lead a trained, reasonably prudent supervisor to suspect that an employee is under the influence of controlled substances and/or alcohol so that an employee's ability to perform the functions of the job is impaired or so that the ability to perform the job safely is reduced.

Follow-Up: Supervisors will be notified of test results.

If an employee tests positive for alcohol or a controlled substance he or she will be notified by Human Resources to contact the Medical Review Officer (MRO). Human Resources will take the appropriate action based on the information provide by the MRO and the employee.

**RELATED
POLICIES AND
PROCEDURES**

7.01 Safe Work Environment
7.02 Employee Safety and Well-being

**EFFECTIVE
DATE**

November 9, 2000

7.04 SMOKE-FREE WORKPLACE

PURPOSE To state the City's position on smoking in the workplace.

POLICY The City of Round Rock is a smoke-free workplace. Employees and visitors are prohibited from smoking inside City buildings and outside within five (5) feet of any entrance or open window of public places. Employees are also prohibited from smoking in City vehicles.

The use of tobacco products (i.e. chewing tobacco, snuff, etc) is prohibited in City owned vehicles, public areas or where groups of people frequently gather. These include reception areas, meeting, conference, and training rooms, restrooms and break rooms.

ENFORCEMENT Violation of this policy shall result in disciplinary actions, up to and including termination. Additionally, an employee may be held financially responsible for deterioration or destruction of City owned vehicles or property resulting from the use of tobacco products.

**RELATED
POLICIES AND
PROCEDURES** 7.01 Safe Work Environment
7.02 Employee Safety and Well-Being Program
Ordinance No. G-02-11-26-9C1

**EFFECTIVE
DATE** November 9, 2000

7.05.01 OFFICIAL USE OF CITY VEHICLES

PURPOSE To provide guidelines related to safe vehicle operations and practices while on official business for the City of Round Rock.

POLICY Employees are required to observe applicable state and local laws as well as City policies while operating City owned vehicles or their own personal vehicle when conducting City business.

Employees are expected to comply with rules governing safe vehicle operations and practices in order to prevent accidents that can cause harm to people and property.

DEFINITION *Official business* is defined as all work performed by employees for City directed purposes.

ASSIGNMENT OF CITY VEHICLES City vehicles will be assigned to individual employees for official business after a comprehensive assessment is made by the Department Director or designee to determine if a need exists.

Vehicle assignment shall be evaluated based on department provided services, special/critical needs, special skills, and other service related factors.

Supervisors and designated employee must review City and Department policy regarding the use and care of City property and equipment, expected performance, and ethical practices prior to the assignment of City vehicle.

Supervisors must ensure that this policy is reviewed and clearly understood by the designated employee.

USE OF CITY VEHICLES City owned vehicles shall only be used for official City business or as allowed herein, including travel between an authorized employee's residence, travel to a work or storage location, and directed/scheduled and authorized City business-related functions outside of City limits. City owned vehicles shall not be used for personal business during the workday outside of City limits. Employees should refrain from using City vehicles for the sole purpose of obtaining meals outside of the City limits.

Examples of authorized travel in a City vehicle outside of City limits may include:

- Local conventions and/or conferences which relate directly to work performed for the City; and
- Training that directly relates to an employees job requirements or skills.

All travel outside of 35 miles of the Round Rock City limits must be approved by the Department Director/division Manager.

MAINTENANCE OF VEHICLES

Employees who operate City vehicles are responsible for maintaining maintenance logs and for reporting any defect(s) in the mechanical equipment to the Vehicle Maintenance Facility. Employees may be held financially responsible for the misuse, loss, deterioration, and destruction of City property and equipment.

TRANSPORTING UNAUTHORIZED PERSONS

Employees operating City vehicles shall not transport individuals who are not in an official City capacity except as provided for under Section 7.05.02, Use of City Vehicles - Commuting. Police and Fire Vehicles used in an official on-duty capacity are the only exceptions to this policy.

EMPLOYEES WHO DRIVE PERSONAL CARS ON CITY BUSINESS

Employees who drive personal cars on City business must provide proof of personally purchased liability insurance to Human Resources. The liability insurance policy amounts must be in accordance with state statutes. Risk Management may be contacted for clarification and/or assistance. At no time shall an employee operate their personal car on City business when there is not in effect a liability insurance policy in the amount provided by law to insure against potential damage or loss arising from the operation of that vehicle.

DRIVING RECORD VERIFICATION

Candidates applying for positions that require driving of City vehicles must complete and sign DPS form DR-1, Application for Copy of Driver Record authorizing Human Resources to obtain a copy of the record. Drivers must meet current City auto liability insurance requirements.

Every two years Human Resources will require an updated driving record for all current employees who operate city owned vehicles or their personal vehicles for city business. Failure to provide the City with the authority to obtain a certified copy of a driving record upon request or to provide a certified copy of a driving record upon request by Human Resources may result in immediate suspension of the employee's privilege to operate a City owned vehicle or the employee's personal vehicle on City business and other disciplinary action, up to and including termination.

LEGAL ACTIONS	<p>Employees who drive a City-owned vehicle or who drive their own vehicles on City business must notify their supervisor immediately of:</p> <ul style="list-style-type: none"> • Any and all traffic infractions and accidents for which they are ticketed during working or non-working hours; • Any and all traffic infractions for which they are convicted, or plead guilty or no contest; • Any change in driver's license status, including suspension, revocation, or restriction; and • Any lapse, change or termination of automobile insurance coverage (personal vehicles only). <p>Supervisors must then report the information to Human Resources. These violations may result in the immediate suspension of the employee's privilege to operate a City owned vehicle or the employee's personal vehicle on City business. Additionally, the employee may be subject to removal/release from a driving position/duty and/or disciplinary action up to and including termination.</p>
VEHICLE ACCIDENTS AND DAMAGE	<p>Employees that are involved in a motor vehicle collision that results in any injuries, damage to any vehicle or any property while using a City vehicle or their personal vehicle on City business will immediately contact the Round Rock PD or the locally applicable law enforcement agency, if outside the City limits. The employee shall then contact their immediate supervisor who may contact Risk Management for support and guidance as necessary.</p>
ENFORCEMENT	<p>Traffic violations, accidents, Penal Code violations, or other evidence of improper conduct involving the operation of motor vehicles may result in disciplinary action up to and including termination.</p>
RELATED POLICIES AND PROCEDURES	<p>5.15 Use and Care of City Property</p> <p>7.05.02 Use of City Vehicles - Commuting</p> <p>7.06 Safe Driving and Road Safety</p> <p>7.07 Reporting and Recording Accidents, Incidents and Environmental Events</p>
EFFECTIVE DATE	<p>December 16, 2004</p>

7.05.02 USE OF CITY VEHICLES – COMMUTING

PURPOSE To provide guidelines related to the authorized use of City vehicles for commuting to and from the workplace.

POLICY Only authorized employees shall use a City vehicle to commute to and from the work place.

DEFINITIONS ***Authorized Employees*** as stated in this policy are employees designated by their Department Director to use a City vehicle to commute to and from the work place. Such authorizations shall be limited to:

- Designated field supervisors who are required to respond in person and in an urgent or time sensitive manner to emergencies that arise after normal business hours;
- Police Officers residing within mileage limitations; and
- Designated Department Directors

Additionally, when a work assignment places employees in the following status an assigned City vehicle may be used to commute to and from the work place:

- Employees on assigned on-call status residing within mileage limitations;
- Designated employees who are scheduled to work special events or assignments that may require other than normal business hours, or who are scheduled to work in anticipation of forecasted natural occurrences such as inclement weather.

Work Place is the City Department or work location to which an employee is assigned.

USE OF CITY VEHICLES FOR COMMUTING **Authorized employees shall maintain 25 miles of maximum distance between US 79 and Mays Street and the point of residence.**

Authorized employees must exercise discretion and good judgment when stopping for personal business while commuting to and from the workplace and during lunch hours. Employees should refrain from using City vehicles for the sole purpose of obtaining meals outside of the City limits.

With appropriate written authorization from the Department Director, use of City vehicles to transport family members to and from school or work is allowed *only if* the school/work destination is within a reasonably acceptable distance, travel direction and route to and from work. All written authorization must be forwarded

to Human Resources. Any deviation from the expected route must be reported, evaluated, and authorized by the Department Director. The Risk Manager shall be notified promptly of any decision involving unusual circumstances.

City vehicles are generally covered under the City's auto physical damage coverage.

Except by law, City employees are covered under the Workers' Compensation Policy in the event of an accident that occurs while within the course and scope of on call duties.

Examples of such travel in which worker's compensation benefits applies to employees include:

- An employee who is on call and is traveling to and from work in an official capacity in response to the on-call emergency;
- An employee who is not on call and is traveling to and from work as requested by their supervisor to respond to an emergency in an official

capacity for the City; and

- A police officer who responds in an official capacity to an incident or assistance call during their commute to work for a scheduled shift.

Examples of such travel in which worker's compensation benefits do not apply to employees traveling in a City vehicle include:

- An employee traveling to and from work for their normally scheduled duties; and
- A police officer who is traveling home after their scheduled shift is completed.

All affected employees must sign a statement that this policy and operating procedures related to this policy have been explained to them, and that they understand said policies and procedures.

Each department is required to maintain a current list of authorized employees who commute in City vehicles. All authorized commuting employees must submit a ***Quarterly Vehicle Usage Report*** to the Human Resources Department.

TAX REQUIREMENT FOR USE OF CITY VEHICLE

The federal tax code requires employers who allow employees to use vehicles for personal use, including commuting to and from work, to include the fringe benefit value of that use as compensation to the employee. All compensation is subject to federal withholding and social security taxes. The value of a commute is computed at \$3.00 per day. It is the employee's responsibility to fill out the Vehicle Usage Monthly Report and turn it in to their supervisor for proper reporting. However, some vehicles and their use are classified as "qualified non-personal use," causing 100% of the value of that use to be excluded from the employee's income. Examples of qualified non-personal use vehicles follow:

Clearly Marked Police and Fire Vehicles- The City prohibits any personal use other than outlined in this policy.

Unmarked Law Enforcement Vehicles- Personal use must be authorized and must be necessary to help enforce the law, such as being able to report directly from home to a stakeout or to an emergency. Use of an unmarked vehicle for vacation or recreational trips does not qualify as an authorized use.

Utility Vehicles- Pickup trucks or vans are not considered qualified non-personal use vehicles unless they have been clearly marked and specially modified with items such as light bars or permanent, side-mounted utility consoles or, in the case of vans, permanently mounted shelving taking up the entire cargo area. Employees using these vehicles must be using the vehicle for a specific duration and intent, such as being on-call, or in anticipation of a likely emergency. The Internal Revenue Service (IRS) may apply a more stringent interpretation.

ENFORCEMENT

Violations of any of this policy and other provisions related to the use of City vehicles may result in loss of vehicle use privilege and disciplinary actions, up to

and including termination and possible prosecution. Loss of vehicle use privilege does not exempt employee from responding to emergencies, assigned on-call duties or from otherwise executing assigned job duties.

**RELATED
POLICIES AND
PROCEDURES**

5.15 Use and Care of City Property

7.05.01 Official Use of City Vehicles

7.06 Safe Driving and Road Safety

7.07 Reporting and Recording Accidents, Incidents and Environmental Events

Administrative Directive – Use of City Vehicles - Commuting

**EFFECTIVE
DATE**

March 1, 2005

7.06 SAFE DRIVING AND ROAD SAFETY

PURPOSE To establish driver safety policies to manage the risks posed by on the job traffic accidents, which include employee and third-party injuries, vehicle repair and replacement costs, and workers compensation costs.

POLICY All designated City drivers and mobile equipment operators must observe applicable local, state, and federal laws while operating a City vehicle or equipment to ensure compliance and to prevent accidents, which can cause harm and damage to people and property.

The City is committed to ensuring that City drivers and mobile equipment operators are fit for the course and scope of their driving duties. It is also committed to ensuring that all vehicles and mobile equipment are maintained and used appropriately to the highest standards, and that work practices are so designed to ensure the safety of all operators, pedestrians, and other affected individuals and property.

Supervisors must review in detail the Operating Procedures related to this policy with new employees prior to allowing the employee to operate any City vehicle and/or equipment. New employees operating City vehicles and/or equipment must sign a statement that the Operating Procedures related to this policy have been provided to them. These procedures can be found in the following:

Guidelines for Operating a City Vehicle

General Equipment Safety Guidelines

Earthmoving Equipment Use

Lifting and Hauling Equipment

The review and sign off must take place prior to the employee operating City vehicles and/or equipment. Supervisors who fail to review the procedures in detail are subject to disciplinary action, up to and including termination.

RELATED POLICIES AND PROCEDURES

7.01 Safe Work Environment

7.03 Fit for Duty

7.05.01 Official Use of City Vehicles

7.05.02 Use of City Vehicles – Commuting

**EFFECTIVE
DATE**

December 16, 2004

7.07 REPORTING AND RECORDING ACCIDENTS, INCIDENTS AND ENVIRONMENTAL EVENTS

purpose To establish clear guidelines for reporting, recording, and investigating accidents, incidents, and environmental events.

POLICY Employees must report all accidents, incidents, unusual occurrences, near misses, and environmental events to the immediate supervisor and to the Risk Manager. This policy shall be carried out in accordance with the Department Accident Prevention Plan.

GUIDELINES Employees must report all workplace incidents to the immediate supervisor.

Immediate supervisors will communicate with the involved employee(s) and document the critical details to identify the cause factors.

The supervisor must inform the Department Director of the incident.

The supervisor will promptly contact the Risk Manager for immediate support and guidance, and to ensure a proper and thorough incident investigation process.

The supervisor and the employee must complete and sign the Incident Report form and forward it to the Risk Manager for review and further actions. The Risk Manager may become involved in investigating the incident at the scene.

The Risk Manager will make a recommendation and forward a copy to the supervisor for review and internal communication purposes.

The Risk Manager will initiate a Claim Notice with the insurance carrier. Further inquiries regarding the accident, damaged equipment, affected private property, witness statement, and other relevant information may take place.

All accidents involving moving and/or parked City vehicles must be reported to the Police Department. A police report is required. Involved drivers must report immediately, accompanied by their supervisor or a designated employee, to the

Human Resources Department to complete the required form for drug and alcohol testing. The affected driver will be relieved from operating City vehicles and mobile equipment until further notice.

All unusual occurrences involving theft, burglary, harm or damages caused by willful act, violent behavior, and similar incidents must be reported to the Police department for investigation. The completion of an Incident Report Form is required.

Health, Safety, and Environment Coordinators will provide assistance during the reporting, recording, and investigation process. Also, they may be asked to join the Risk Manager at the scene for assistance.

Division Managers maintain a record of accidents and incidents for analysis and audit purposes in accordance with the Department Accident Prevention Plan.

REFERENCE

Department Accident Prevention Plan.

**RELATED
POLICIES AND
PROCEDURES**

7.01 Safe Work Environment
7.03 Fit for Duty

**EFFECTIVE
DATE**

November 9, 2000

7.08 REPORTING AND RECORDING INJURIES AND ILLNESSES

purpose To establish guidelines for the process of reporting and recording injuries, illnesses, and exposures.

POLICY All work-related injuries, illnesses, and exposures with potential health effects must be reported promptly to the immediate supervisor and to the Risk Manager. The information must be in accordance with the City's HSE Policy, and in compliance with the applicable laws and standards.

GUIDELINES All injuries, illnesses, and exposures involving City employees must be reported to the Risk Manager immediately.

Supervisors must report all injuries and illnesses to their Department Directors as soon as possible.

Supervisors will ensure that the Emergency Medical Services (EMS) are called, if necessary.

Supervisors must provide assistance or accompany the injured employee for immediate medical attention if needed.

The Human Resources Department will ensure that the First Report of Injury (TWCC-1) is completed and forwarded to the insurance carrier.

Supervisors must ensure that the Incident Report form is completed and forwarded to the Risk Manager.

Department Health, Safety, and Environment Coordinators may be requested to provide assistance.

Records of injuries, illnesses and exposures are maintained at a centralized location in accordance with the Record Keeping Component of the Department Accident Prevention Plan.

REFERENCE Department Accident Prevention Plan

**RELATED
POLICIES AND
PROCEDURES**

7.01 Safe Work Environment

7.07 Reporting and Recording Accidents, Incidents and Environmental Events

7.09 Workers' Compensation

**EFFECTIVE
DATE**

November 9, 2000

7.08.01 PROTECTED HEALTH INFORMATION

purpose To promote understanding of the City of Round Rock's responsibilities regarding the Health Insurance Portability and Accountability Act (HIPAA) of 1996.

POLICY The City of Round Rock will protect the privacy of protected health information in accordance with HIPAA laws and the regulations specified in *Standards for Privacy of Individually Identifiable Health Information*, as well as applicable state laws governing the use and disclosure of health information.

PRIVACY OFFICER The Human Resource Department Benefits Manager is designated as the City's Privacy Officer for the health plan. Any questions regarding the policies and procedures in this directive shall be directed to the Benefits Manager's attention. Concerns and issues regarding violations of the terms of this policy or your rights as described in the Privacy Notice should be reported immediately.

Employees may contact the Human Resources Department concerning issues involving claims for health care expenses. All employees enrolled in the City's health plan must diligently protect the privacy of personally identifiable health information.

LEGAL Health Insurance Portability and Accountability Act of 1996

RELATED POLICIES AND PROCEDURES

EFFECTIVE DATE December 16, 2004

7.09 WORKER'S COMPENSATION

purpose To provide guidelines for establishing and filing workers' compensation claims when a City employee sustains an injury or illness during the course and scope of assigned duties.

POLICY In the event of an occupational injury or illness due to a work-related incident, the City makes every effort to provide immediate assistance to the affected employee in accordance with the Texas Workers' Compensation Commission Rules on the injured worker rights and responsibilities.

GUIDELINES City employees must report any work-related injury, illness, and exposure to the immediate supervisor as soon as the incident occurs.

The supervisor must **immediately** report the injury or illness to the Risk Manager for guidance and to initiate further measures. Assistance for immediate medical attention must be provided to the injured worker as appropriate.

The supervisor must conduct an **initial** investigation of the incident and then complete an Incident Report form with the affected worker.

The Risk Manager and the Department representative will conduct further investigations or inquiries in accordance with the Department Accident Prevention Plan.

The completed and signed Incident Report form, with relevant statements and reports, must be forwarded immediately to the Human Resources Department in order to complete and submit the Employer's First Report of Injury or Illness form (TWCC-1).

The completed form TWCC-1 is forwarded by Human Resources Department to the designated insurance carrier for medical care authorization, further eligibility evaluation and determination, and to satisfy the reporting requirement as established by Texas Workers' Compensation Commission (TWCC).

The designated insurance carrier notifies TWCC and the injured worker

(claimant) of actions taken, reasons for such actions, and/or any events affecting the claim and/or benefits.

INJURED WORKER RIGHTS

An injured City worker may have the right to receive benefits.

An injured City worker has the right to:

- receive reasonable and necessary medical care;
- the initial choice of doctor;
- receive assistance from appropriate, qualified TWCC staff; and
- confidentiality within the scope of proper case management and legal constraints.

INJURED WORKER RESPONSIBILI- TIES

An injured City worker has the responsibility to:

- report to the immediate supervisor all work-related injuries and illnesses;
- inform TWCC and the insurance carrier of any employment, employer, or income changes;
- tell the treating physician how the worker was injured and if the worker believes the injury may be work-related;
- inform TWCC and the insurance carrier how to contact him or her.

CITY'S RIGHTS

The City has the right to:

- contest the compensability of a claim;
- be informed by the insurance carrier of any dispute resolutions or court proceedings;
- attend any dispute resolution proceeding related to a claim;
- present any relevant evidence about a disputed issue;
- report suspected workers' compensation fraud to TWCC and the insurance carrier.

CITY'S RESPONSIBILI- TIES

- The City has the responsibility to:

ES	<ul style="list-style-type: none"> • report work-related injuries and illnesses including supplemental reports; • report an injured worker's wages and other compensation to the insurance carrier; • report any changes in an injured worker's pay or employment; • keep a record of work-related injuries, illnesses, and fatalities; • provide workers with notice of coverage and responsibilities; • develop and implement a policy to eliminate drug abuse in the workplace.
PROHIBITED ACTIONS	<p>It is a violation of City policy, procedures and state and federal law for any employee, supervisor, or manager of the City to discharge or in any other manner discriminate against an employee of this City because the employee:</p> <ul style="list-style-type: none"> • files a workers' compensation claim in good faith; • hires a lawyer to represent the employee in a workers' compensation claim; • institutes or causes to be instituted in good faith a proceeding under the Texas Workers' Compensation Act; or • testifies or is about to testify in a proceeding under the Texas Workers' Compensation Act.
FRAUDULENT CLAIMS	<p>Evidence and information indicating that a claim was submitted for workers' compensation leave, benefits, and medical treatment, and was established through fraudulent acts or deceptive practices, shall be investigated by the City and the insurance carrier. Results of investigations will be evaluated and actions will be taken in accordance with TWCC Rules on Compliance and Practices.</p>
OLD INJURIES	<p>City employees must report any signs of complications that may be related to a previously reported and managed work-related injury or illness. The immediate supervisor must consult with the Risk Manager for further evaluation and determination. A new Incident Report Form is required.</p>
RELATED POLICIES AND PROCEDURES	<p>2.00 Compensation and Salary Administration</p> <p>7.07 Reporting and Recording Injuries, Illnesses and Environmental Events</p> <p>7.10 Return to Work After a Work-Related injury or Illness</p> <p>7.12 Americans with Disabilities Act</p>
EFFECTIVE DATE	<p>November 9, 2000</p>

7.10 RETURN TO WORK AFTER RELATED INJURY OR ILLNESS

purpose To provide clear expectations and guidance when an injured worker is released back to work by the treating physician with duty restrictions and/or temporary modifications.

POLICY If a City employee sustains a work-related injury or illness and is released back to work by the treating physician to perform restricted duties, the employee is assigned to modified duties suitable to his or her physical ability and condition.

GUIDELINES

Supervisors must provide the injured worker with a statement of his or her essential job functions. The injured employee must share the essential job functions with the treating physician for evaluation and determination.

A release authorization and clarification of any restrictions is needed from the treating physician with respect to employee work restrictions and essential job functions. The Injured employee must provide the supervisor and the Risk Manager with the statement/document of release provided by the treating physician.

The Risk Manager and the supervisor will review and evaluate the provided release authorization for appropriate actions and assignments.

The Human Resources Department will forward a Supplemental Report of Injury to the insurance carrier indicating any changes in the injured employee's duty status.

The injured and released employee must comply with the recommendations of the treating physician, and the work plan as established by the Risk Manager and the employee's immediate supervisor in support of the intent and benefit of restricted duty status.

If the injured employee refuses to accept the reasonably modified duties, and willingly fails to comply with the plan, the employee will be counseled by the Human Resources Department for further case management and possible disciplinary action up to and including termination.

The Risk Manager provides continuous case monitoring and support to ensure the safety and well being of the injured worker.

prohibited actions

This policy and procedures shall not be applied to any situation or circumstances in a manner that discriminates on the basis of race, color, sex, national origin, disability or age.

OFF THE JOB INJURY OR

Off the job injuries, illnesses, and exposures with potential health effects, which may impact the employee's ability to perform the essential job functions

ILLNESS	must be reported to the immediate supervisor. The immediate supervisor and the affected employee must consult with the Risk Manager for further guidance and proper case management.
RELATED POLICIES AND PROCEDURES	7.02 Employee Safety and Well-Being Program 7.09 Workers' Compensation 7.11 Reporting Non Work-Related Injuries, Illnesses and Environmental Events 7.12 Americans with Disabilities Act
EFFECTIVE DATE	November 9, 2000

7.11 REPORTING AND ACCOMMODATING NON WORK-RELATED INJURIES AND ILLNESSES

purpose To establish guidelines for reporting non-work related injuries and illnesses which may cause an impact on work activities, to ensure employee safety and well being during operations, and prevent any further escalation of undesirable events.

POLICY City employees must report all serious injuries, illnesses, and exposures occurred away from work, even if the event did not occur during the performance of activities related to the course and scope of their duties.

GUIDELINES City employees must report off duty injuries and illnesses to the immediate supervisor.

Supervisors must evaluate the reported condition in terms of the employee's expected functions, and write a brief statement regarding the matter.

The supervisor communicates with the Risk Manager for further guidance.

Employees must submit a medical report/statement signed by the treating physician in order to verify and clarify any duty recommendations and job restrictions, and/or recommendations for days of sick leave.

The Risk Manager and the supervisor monitor the progress of the employee's condition and provide guidance and assistance as appropriate.

The Risk Manager may communicate verbally and in writing with the treating physician on current and future administrative concerns which may impact the employee's duties and Department functions.

Employees with a medical statement recommending three or more consecutive sick leave days may be eligible for family and medical leave.

RELATED 2.00 Compensation and Salary Administration

POLICIES AND 4.05 Sick Leave

PROCEDURES 4.06 Family and Medical Leave

**EFFECTIVE
DATE**

November 9, 2000

7.12 AMERICANS WITH DISABILITIES ACT ('ADA')

purpose To provide a plan to ensure that the City has established a clear and comprehensive guideline to prohibit discrimination on the basis of disability. Under no circumstances is this, policy manual to be construed to confer rights greater than those granted by the ADA.

POLICY The City of Round Rock does not discriminate on the basis of disability in employment or in the provision of services, programs, or activities, in accordance with the ADA.

AMERICANS WITH DISABILITIES ACT (ADA) The ADA is a Federal Statute designed to remove barriers preventing qualified, disabled individuals from enjoying the same employment opportunities available to individuals without disabilities.

CLARIFICATION The employment practices of the City, as a local entity, are covered by Title II of the ADA, and this standard is used for determining whether employment discrimination has occurred.

The ADA prohibits discrimination in all employment practices, including job application procedures, hiring, termination, advancement, compensation, training, and other terms, conditions, and privileges of employment. Also, it applies to recruitment, advertising, tenure, layoff, fringe benefits, and all other employment-related activities.

DEFINITIONS **Disability-** a physical or mental impairment that substantially limits one or more of the major life activities of such individual; has a record of such impairment; or is regarded as having such impairment.

Impairment- a physiological disorder affecting one or more of a number of body systems or a mental or psychological disorder.

Reasonable Accommodations- the modification or an adjustment to a job or the work environment that will enable a qualified applicant or employee with a disability to perform essential job functions, or to have equal opportunity in the employment process.

Undue Hardship- extensive difficulty or expense in relation to the size of the entity, the resources available, and the nature of activities or program.

Accommodations that impose undue hardship would be unduly costly, extensive, substantial, disruptive, or would fundamentally alter the nature or operation of the business or program.

The ADA permits employers to establish qualification standards that will exclude individuals who pose a direct threat to the health and safety of the individual or of others, if that risk cannot be lowered to an acceptable level by reasonable accommodations.

ADA COORDINATOR

The Safety/Risk Manager serves as the City's designated ADA Coordinator. The responsibilities for this role include:

- Providing assistance on clarification and guidance to City departments;
- Providing clarification and guidance on the City's implementation of the act;
- Overseeing the handling of employee requests for reasonable accommodations at a department level;
- Communicating with the involved and affected employee;
- Tracking and monitoring all ADA-related activities in the City;
- Communicating with the Human Resources Director and affected department directors on related issues; and
- Maintaining and ensuring confidentiality of information and related documentation.

REQUESTS FOR REASONABLE ACCOMMODA- TIONS

An employee with a disability (ies) requesting a reasonable accommodation must submit the request to his or her supervisor or to the Risk Manager.

Immediate supervisors must report the situation, with adequate and relevant background documentation, to the ADA Coordinator for review and further assistance;

The ADA Coordinator meets with the involved employee to obtain additional background information and to clarify relevant areas.

REVIEW OF REQUEST

A request for reasonable accommodation is evaluated on a case- by-case basis. The ADA coordinator and the supervisor must consider the circumstances of the employee's situation. However, all reasonable accommodations must:

- Be job related;
- Be effective enough to overcome the individual's physical or mental limitation;
- Enable the individual to perform the essential functions of the job; and

- Not impose any undue hardship on the City's operations and services.

Job Function Analysis is the key mechanism for defining the mental, physical, and environmental demands of the position.

The ADA Coordinator and appropriate staff evaluates the situation and provides the affected department with a plan for guidance, further evaluation, and final expert determination.

Affected employee will be notified verbally and in writing within 15 calendar days when a determination has been made regarding the request for reasonable accommodations.

If the requesting employee qualifies, the immediate supervisor coordinates with the ADA Coordinator and the employee to implement the accommodations as soon as possible. Reasonable accommodation may require additional resources, and/or equipment.

APPEAL PROCESS

If the employee is not satisfied with the determination, the employee may appeal to the Human Resources Director.

PROHIBITED ACTIONS

The ADA prohibits discrimination based on the knowledge of an employee or applicant's relationship or association with an individual with a disability. This known relationship or association may be a family member or any social or business relationship or association.

It is a violation of this policy, and state/or federal law for any employee, supervisor, or manager of the City to:

- Discriminate on the basis of disability against an employee who is a qualified individual with a disability under ADA in regard to:
 - job assignments, job classifications, organizational structures, position description, lines of progression and seniority lists;
 - leaves of absences, sick leave, or any other leave;
 - upgrading, promotion, award of tenure, demotion, transfer, layoff, termination, right of return from layoff, and rehiring;
- rates of pay or any other form of compensation, changes in compensation, and fringe benefits available;
- selection and financial support for training; or
- social and recreational activities.

Limit, segregate, or classify a job applicant or employee in a way that adversely affects his or her employment opportunities or status on the basis of disability.

Require a medical examination of an employee who is disabled as defined under ADA unless the medical examination is job-related and consistent with business necessity.

Make inquiries as to whether an employee is an individual with a disability or as to the nature or severity of such disability, unless such inquiry is job-related and consistent with business necessity.

CONFIDENTIALITY

The Human Resources Department ensures that all related ADA documentation and information remains confidential and separate from the individual personnel file. This includes any medical statements from treating physicians, leave forms, or any other information that pertains to the medical condition or history of an employee.

**RELATED
POLICIES AND
PROCEDURES**

7.02 Employee safety and Well-Being Program

7.03 Fit for Duty

7.10 Return to Work after a Work-Related Injury or Illness

7.12 Americans with Disabilities

**EFFECTIVE
DATE**

November 9, 2000

7.13 CONTRACTORS HEALTH, SAFETY AND ENVIRONMENT

purpose	To raise the level of contractor safety, health, and environmental awareness, in order to minimize potential unsafe acts and conditions that may produce undesirable results.
POLICY	Contractors and involved City departments shall accept the mutual responsibility for safety, health, and the environment throughout all phases of anticipated activities and operations.
RELATED POLICIES AND PROCEDURES	7.01 Safe Work Environment
EFFECTIVE DATE	November 9, 2000

7.14 HEALTH, SAFETY AND ENVIRONMENT (HSE) OPERATIONAL MANUAL

purpose	To provide employees with general instructions and industry specific guidelines and standard acceptable practices on safety, health, and environmental matters.
POLICY	Each department shall develop and maintain an HSE Manual to include general and specific guidelines and standard acceptable practices.
	The Risk Manager works with all departments on HSE practices and provides technical support and assistance.
RELATED POLICIES AND PROCEDURES	7.01 Safe Work Environment 7.02 Employee Safety and Well-Being Program 7.06 Safe Driving and Road Safety
EFFECTIVE DATE	November 9, 2000

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8.01 EMPLOYEE DEVELOPMENT

PURPOSE	To provide exceptional customer service by maintaining a high standard of service through competent, well-trained employees.
POLICY	City employees and their supervisors are responsible for the employee's professional development.
RESPONSIBILITY	<p><u>Individual Employee</u> - Each employee is accountable for his or her job performance. Employees should request training in the areas that need improvement.</p> <p><u>Immediate Supervisor</u> - The immediate supervisor is responsible for assisting in the development of his or her employees. At a minimum, employees should be able to perform their essential job duties and consistently exhibit behavior which is aligned with the City's values statement. Supervisors should ensure their employees are well trained to perform their job duties and deliver exceptional customer service.</p>
RELATED	8.02 Organizational Learning and Development
POLICIES AND PROCEDURES	
EFFECTIVE	November 9, 2000
DATE	

8.02 ORGANIZATIONAL LEARNING & DEVELOPMENT

PURPOSE To promote a high standard of performance and service through the empowerment of competent, well-trained employees.

POLICY The City will provide appropriate training for City employees. All training must be directed toward skill development, enrichment, and/or performance improvement. Such training is recognized to be in the best interests of the employee and the City.

Human Resources is responsible for coordinating and sponsoring City-wide training for areas of development deemed necessary for all or a large portion of City employees.

Each Department can establish training for their specific needs.

TYPES OF TRAINING

In-Service Training: sponsored and/or conducted by the City.

External Training: both job-related and elective, conducted by agencies or organizations other than the City.

1. Required job-related external training must be directly related to improving the employee's job performance or job skill development and must have prior approval of the Division Manager and Department Director. The City requires the employee's attendance and participation in job-related external training. An example of job-related external training would be job-required certificates.

2. Elective external training may be taken by the employee to improve eligibility for career advancement and/or development, but is not required by the City. Conferences, seminars, annual meetings, certification courses and exams not offered by an academic institution are all examples of elective external training. Such training must have prior approval of the Division Manager and Department Director.

EXPENSES

Required Job-Related External Training Expenses: must have prior written approval of the Division Manager and Department Director; sufficient funds must be available in the department's budget to cover the employee's expenses. Expenses incurred by the employee during job-related out-service training; including tuition, travel, meals, and lodging will be reimbursed at established rates, as provided by Section 8.07 of this manual, when such training is required by the City. The employee will receive his/her regular salary while attending such training.

Elective External Training Expenses: including tuition, fees, travel,

meals, and lodging may be reimbursed at established rates, as provided by Section 8.07 of this manual, within budgetary limits provided that prior written approval of the Division Manager and Department Director has been secured. An employee may be asked to partially fund the cost associated with the elective training.

RELATED

2.02 Salary Administration

**POLICIES AND
PROCEDURES**

8.05 Education Assistance Payment/Reimbursement Program

8.07 Travel

EFFECTIVE

Revised May 22, 2003

DATE

8.03 PROMOTIONS

PURPOSE To support the basic organization building process of promoting qualified employees to positions of greater responsibility and recognition.

POLICY When a position vacancy occurs, opportunities to promote from within may be explored consistent with the goal of filling positions with the most capable individual available.

GUIDELINES Job posting, employee performance appraisals and career counseling records will provide the primary input to the internal selection process.

At times, external-recruiting sources will be used simultaneously with the internal search.

RELATED 2.02 Salary Administration

POLICIES AND PROCEDURES

EFFECTIVE November 9, 2000

DATE

8.04 ADMINISTRATIVE TRANSFERS

PURPOSE To encourage teamwork among City departments to achieve our common goals.

POLICY A transfer is the reassignment of an employee from one position to another. A transfer not involving promotion or demotion may be affected at any time for administrative convenience. Transfers may be made administratively or in conjunction with an announced selection process.

RELATED 2.02 Salary Administration

POLICIES AND PROCEDURES

EFFECTIVE November 9, 2000

DATE

8.05 EDUCATION ASSISTANCE / REIMBURSEMENT PROGRAM

PURPOSE To provide guidelines for the City's Education Assistance/Reimbursement Program.

POLICY The Education Assistance/Reimbursement Program in accordance with the Economic Growth and Tax Relief Reconciliation Act of 2001, amending Section 127 of the Internal Revenue Code, is intended to provide financial assistance to employees who are seeking education and/or certification for career and/or personal development and who are taking for-credit courses or certifications through an academic institution. Courses taken through this program are not required to be job-related. Employees should contact the Human Resources Department to determine if a certification is covered under the Education Assistance/Reimbursement Program.

The Education Assistance /Reimbursement Program is not intended to provide assistance for staff development training, job required certificates, or continuing professional education. While these are important functions that may support career development, these training activities are viewed as the responsibility of the employing department, the individual, or both.

The Human Resources Department administers the program for all City employees.

The City will pay/reimburse up to \$2,000 for tuition and required, non-refundable fees per fiscal year for approved courses (the "Annual Maximum Reimbursement"). Examples of fees that are reimbursable include building use fees, activity fees, and lab fees.

Program participants will be reimbursed based upon the actual tuition and fee schedule of the school they attend unless the fee schedule exceeds that of Texas State University, in which case reimbursement will be calculated at the equivalent rate of Texas State University. Texas State University tuition and fees will be calculated at the in-state, on or off-campus rate. Cost of living expenses, books, equipment, materials, travel, parking, and non-required fees are not reimbursable.

ELIGIBILITY **Course and Certification Requirements**

Courses must be offered at a school or institution that is approved by the Texas Education Agency (TEA) or nationally recognized boards of accreditation.

Courses must be offered on a for-grade basis. The student may elect to take the course "pass/fail" as long as the course may be taken for a grade.

Professional certifications sought must be received from an accredited school or institution. These certifications must be obtained in conjunction with a class provided by an accredited school or institution. A minimum grade of at least a "C" and/or certification is required in order to be eligible for reimbursement.

Employee Eligibility

Full-time, regular employees who have successfully completed their introductory period of six months with the City prior to the beginning of the semester for which they are enrolling are eligible for education assistance/reimbursement.

No employee under disciplinary probation or suspension at the time of application or prior to the beginning of the semester for which they are enrolling will be eligible.

TERMS AND CONDITIONS

The following terms and conditions apply to the City's Education Assistance/Reimbursement Program:

Funds must first be approved by the City Council and will then be distributed on a first-come, first-serve basis.

Employees who receive the education assistance payment prior to completion of the course or certification and who do not earn at least a grade of "C" for undergraduate courses and at least a "B" for graduate courses (or "pass" if taken as pass/fail) will be required to refund the city for all Education Assistance payments received. This amount will be deducted from the employee's paycheck unless other arrangements are made.

Employees receiving education assistance funds are required to continue employment with the City for two years from the start of the classes related to the reimbursement. With each new reimbursement approved, a new two-year employment commitment begins.

In the event that the employee resigns employment or is terminated prior to the fulfillment of the two-year employment requirement, the employee will be responsible for the full reimbursement of the assistance amount awarded. This amount will be deducted from the employee's final paycheck. In the event that the employee's final paycheck will not cover the full reimbursement of the assistance amount awarded, the employee and the City will enter into a repayment schedule agreement.

*SUBMITTING
APPLICATIONS*

The following steps should be followed when submitting an application for education assistance/reimbursement:

Applications for Education Assistance Payment/Reimbursement may be obtained from the City's Intranet Portal.

Applications should be given to the employee's supervisor and Division Manager or Department Director for review and approval. In the event an application is not approved within the department, employees should submit the Education Assistance application along with information pertaining to the requested courses to Human Resources for review by the Education Assistance Task Force.

Employees should submit their approved application for reimbursement to Human Resource up to 30 days prior to the start of the class, but no later than 5 business days after the class begins. Requests received late will not be processed.

The Human Resources Department will notify the employee of approval or denial of the application within (10) business days from the date of receipt.

**GRADE
REQUIREMENT**

The grade required for reimbursement is based on the following scale.

Employees attending Texas State University and Austin Community College (ACC) who are awarded a grade of C or better for undergraduate level courses or a B or better for graduate level courses will be reimbursed 100% for eligible tuition and fees.

Employees attending classes through schools/universities not listed above will follow the scaled reimbursement based on the awarded grade:

Grade A - qualifies for 100% of eligible reimbursement

Grade B - qualifies for 90% of eligible reimbursement

Grade C - qualifies for 80% of eligible reimbursement for Undergraduate classes. No reimbursement for Graduate classes.

Grade D or F - will not be reimbursed

REQUEST FOR REIMBURSE- MENT

Below is the process for requesting an education assistance reimbursement or advancement, when applying for the City's Education Assistance/Reimbursement Program:

If attending Texas State University or Austin Community College (ACC), employees may elect to participate in 3rd party billing or sponsorship billing, which allows the employee to enroll without paying up-front for the school.

Employees attending classes through schools/universities not listed above will be reimbursed for the tuition and fees after successful course completion. Once the course has been completed, the employee will submit the information provided below.

An education assistance payment may be paid to the employee prior to the course start date. The appropriate HR staff will evaluate each advance payment request on a case-by-case basis. Employees requesting payment advance must do so in writing. The option for advanced payment should be limited to special, extenuating circumstances. When the course has been completed, the employee will be required to submit all the pertinent information for verification, as provided below.

Upon completion of the class or certification, the employee is required to provide Human Resources proof of course/certification completion, verification of grade and/or certification obtained, plus payment receipts associated with any applicable fees pertaining to the course. This information must be received within six (6) weeks after course completion.

Upon Human Resources' receipt of the above information, the Human Resources Department will submit a check request to Accounts Payable. If the employee does not receive a check the Friday following submission of the check request or within seven (7) business days, the employee may contact the Human Resources Department for assistance.

*SPECIAL
PROVISIONS*

Certain specific provisions apply to the City's Education Assistance/Reimbursement Program.

Employees who leave City service, except for involuntary military assignment, prior to completing a course or prior to completing two years of service will have to reimburse the City for education assistance/reimbursement payments received.

Costs of living expenses, book, equipment, materials, travel, parking, and non-required fees are not reimbursable.

For employees receiving tuition reimbursement from the Veterans Administration, scholarships, or any other source, education assistance/reimbursement applies only to the net cost to the individual after deducting the amount received from any other aid source.

Courses that provide the employee with job skills expected or required for their current job will not be paid for or reimbursed through this program. This includes job-required certificates. Refer to section 2.02 Salary Administration of this manual.

Conferences, seminars, annual meetings, certification exams, and certification courses not offered through an academic credit on a for-grade basis are excluded. Refer to section 8.02 Organizational Learning & Development of this manual.

*SCHEDULING
OF CLASSES*

Whenever possible, courses should be scheduled during non-working hours. If a course is available only during regular working hours, the supervisor and manager of the employee are encouraged to allow flexible scheduling of work to allow completion of the employee's normally scheduled work hours per week. Final approval on flexible scheduling will be at the discretion of the department head.

GED TESTING

If an employee wishes to obtain a GED, the City will pay all fees associated with taking the GED exam. This will be limited to two series of tests per person.

RELATED

8.02 Organizational Learning & Development

**POLICIES AND
PROCEDURES**

2.02 Salary Administration

EFFECTIVE

Revised August 24, 2006

DATE

8.06 PERFORMANCE MANAGEMENT PROCESS (PMP)

PURPOSE	To provide guidelines for the administration of the City's PMP program.
POLICY	<p>The City of Round Rock will provide a uniform and equitable process of communicating to employees the performance expectations, their actual achievements, and recommendations for improving performance. Performance Management Processes are critical because employees need to know areas in which they are having success as well as areas where they should improve to meet performance standards and/or career enhancement goals.</p> <p>Regular status employees' performance will be evaluated twice a year. The review conducted at the end of the appraisal period will serve as the basis for any performance based salary increase.</p> <p>Temporary employees hired for a period of less than six (6) months are not required to be evaluated.</p>
PERFORMANCE MANAGEMENT PROCESS	<p>The performance management process is used to set expectations, document performance and provide periodic feedback on performance, and to identify areas where improvement is needed.</p> <p>The performance management cycle includes the following activities:</p> <p>Supervisor and employee discuss Competencies, identify Key Results Areas (KRAs), and develop performance standards for the KRAs. A performance standard is a statement of the results that will exist when job performance meets supervisor's expectations. Performance standards provide a method of measuring performance instead of measuring people.</p> <p>During the appraisal period, the supervisor and employee must have periodic discussions to review and document the employee's progress toward achieving the performance standards.</p> <p>Mid-year and at the end of the appraisal period, the employee is given an opportunity to assess his or her own performance and achievement during the appraisal period, and to identify developmental needs. The employee's comments provide information that may be relevant to the reviewing supervisor. The employee's input also provides the basis for discussion between the supervisor and employee regarding future training and career development opportunities.</p> <p>The supervisor appraises the employee's performance, documents actual achievements, assesses the employee's knowledge and skills, meets with the employee to review the supervisor's assessment, and provides input</p>

into the employee's developmental plan.

Performance management results from the interrelationship of four separate elements:

- the performance plan;
- the performance appraisal;
- the career enhancement feedback, developmental plan; and
- the performance review conference.

The performance plan:

- identifies the competencies and provides examples of descriptors of behavior associated with each rating;
- provides a lists of the KRA and the associated standards of performance;
- documents the communication of performance expectations between employees and supervisors; and
- serves as a management tool for ensuring that overall organizational goals and objectives are addressed.

The performance appraisal provides:

- documentation of an employee's achievements toward meeting performance standards and expectations related to competencies; and
- a management tool for assessment of individual and organizational productivity.

The development plan:

- identifies training and developmental needs to enhance or improve future performance; and
- identifies training and developmental needs to enhance career opportunities for the employee.

The performance review conference provides an opportunity for discussion between the employee and supervisor regarding overall performance, developmental needs and future performance plans.

TYPES OF PERFORMANCE REVIEWS

There are several types of performance reviews:

NEW EMPLOYEE REVIEW

New employees should meet with their supervisor to develop a performance plan within the first thirty (30) days of initial employment. Supervisors must inform new employees during a performance plan conference that a progress conference will be conducted after three (3) months.

Five (5) months following their employment, new employees will receive a performance review. If the overall performance appraisal rating is documented as Exceeds Expectations or Meets Expectations, the supervisor should recommend the employee for continued employment.

If the overall performance appraisal rating is documented as Needs Improvement or Does Not Meet Expectations, the supervisor may recommend termination. The supervisor discusses the appraisal with the employee and follows the signature process. Upon completion of the signature process, the appraisal must be received in Human Resources by the end of the sixth month employment.

REGULAR PERFORMANCE REVIEW

Performance reviews will be conducted twice a year. The mid-year review will not be the basis for a salary action but will provide an opportunity for the employee and supervisor to discuss the employee's progress toward meeting performance standards and competency development. Fiscal year-end reviews will serve as the basis for pay for performance salary increases. The review should be conducted within thirty (30) days of the beginning of a new fiscal year, on October 1st.

OTHER REVIEWS

A performance review should also be conducted for the following reasons:

Transferring employees

For a transferring employee, the current supervisor prepares a performance appraisal if the employee's:

- Last appraisal was completed more than three (3) months before the effective date of the transfer; or
- Performance has significantly changed since their last appraisal.

Transferring supervisor

For a transferring supervisor, the supervisor prepares a performance appraisal if the employee's:

- Appraisal is due within three (3) months after the effective date of the transfer; or
- Performance has significantly changed since the last appraisal.

PERFORMANCE ISSUES

A supervisor may conduct an appraisal when:

- An employee's performance deserves special recognition; or
- An employee's performance does not appear to be meeting expectations.

Change in Duty Assignment

A supervisor should conduct a performance appraisal when:

- An employee's KRAs and/ or standards of performance change significantly;
- An employee's KRAs and/or standards of performance change as a result of a promotion, demotion or a lateral classification change.

PERFORMANCE PLAN

All employees should meet with their supervisor to develop a performance plan within the first thirty (30) days of employment, or upon a change in classification. The employee and the supervisor sign the performance plan indicating that the competencies, KRA's and performance standards have been discussed and communicated as the basis for an appraisal of the employee's performance. Performance plans are to be maintained at the division level.

The performance plan identifies the KRA's and establishes the performance standards for each employee's job. KRA's originate from the Job Description, which documents the essential, job-specific functions of the position. KRAs may also originate from the City's mission goals and objectives.

Standards of Performance are statements of conditions that will exist when job performance meets the supervisor's expectations. Performance standards should include qualitative and quantitative criteria that ensures the work group / employee will meet goals and objectives related to the tasks. Standards are written for the job, rather than the employee performing the job. Performance standards provide a method of measuring an employee's performance. Objective performance standards must be defined for each KRA. All standards must be measurable.

PERFORMANCE REVIEWS

The purpose of the appraisal is to document the employee's performance in relation to the performance standards established in the performance plan. It ensures constructive communication between employee and supervisor in the interest of productivity. The supervisor must specifically document in quantitative and/or qualitative terms whether or not, and to what degree, performance standards have been met.

DEVELOPMENT

The purpose of the Development Plan is to identify the employee's areas of

PLAN	strengths and developmental needs. It is used to assist the employee in improving employee performance or to prepare for lateral and/or vertical career changes. Through the performance management process, goals can be set for acquiring new skills, improving and/or correcting current employee performance and for acquiring new knowledge and skills to make career changes.
MANAGEMENT REVIEW	Department Directors are responsible for ensuring consistency of ratings within their department. Appraising supervisors should route the appraisal document to the next level supervisor for review prior to conducting the performance review.
PERFORMANCE REVIEW CONFERENCE	<p>A conference is held to review and discuss the supervisor's appraisal and the employee's self-assessment. The conference also provides an opportunity for the supervisor and employee to review the existing performance plan and to make adjustments for the future, as appropriate.</p> <p>The supervisor discusses the appraisal with the employee and follows the signature process. If the employee refuses to sign the appraisal document, another member of management must verify that the employee refused to sign and then sign the document. The reviewer signs the document after the performance appraisal conference has been held. Upon completion of the signature process, the supervisor provides a copy of the appraisal to the employee and forwards the original to Human Resources by the end of the month following the month of appraisal.</p>
PERFORMANCE IMPROVEMENT PLAN (PIP)	<p>The supervisor may evaluate the employee's performance at any time during the appraisal period. The following rules apply: (1) If an employee receives an overall Performance Appraisal Rating of Does Not Meet Expectations on the annual appraisal, a PIP must be implemented; (2) If the employee is not meeting the performance standards for a particular task at anytime during the appraisal period, the supervisor has the option of placing the employee on a Performance Improvement Plan (PIP). Supervisors must apply the same practice to all similarly situated employees.</p> <p>The plan identifies deficiencies, provides a methodology for improvement, and establishes a timetable in which performance must be improved. Usually, the maximum period for a PIP is ninety (90) calendar days.</p> <p>The original plan remains with the supervisor until the completion of the PIP period and a copy is given to the employee. A copy of the plan must be attached to the appraisal document that is submitted to Human Resources.</p> <p>At the end of the PIP period, the supervisor and employee meet to discuss the employee's progress, training needs, and future action items. The</p>

supervisor documents (in a memorandum to the appropriate approving authority) the results of the improvement review session.

If an employee fails to maintain performance standards, the opportunity for an employee to improve performance will not necessarily be repeated. Disciplinary action up to and including termination may result without an additional PIP.

If the employee's performance has not improved within the time period established, the supervisor may determine that additional time is warranted to achieve the objectives, or that performance is such that disciplinary action is necessary.

REBUTTAL

If an employee does not agree with the supervisor's assessment of performance, the employee may respond by providing a written rebuttal. The purpose of a rebuttal is to record the employee's disagreement with the supervisor's appraisal of his/her performance.

An employee may provide a written rebuttal attached to the performance appraisal form. The written rebuttal must be submitted within ten (10) working days following the date the appraisal was administered.

The supervisor must provide a written response to the rebuttal within 5 (five) working days following the receipt of the rebuttal.

MANAGEMENT REVIEW

If the employee does not think that the issues raised have been sufficiently addressed, a Management Review may be requested. The purpose of the Management Review is to provide an opportunity for the employee to request a change in any specific rating. Issues concerning the Development Plan may not be the basis for a Management Review.

The appraising supervisor and employee requesting the review should meet with successive levels of management, up to and including the Department Director, in order to address the employee's concerns. A decision by the Department Director is final.

The request for a Management Review must be submitted in writing to the immediate supervisor within ten (10) working days following the date the appraisal review conference was held.

Written response at each level of the Management Review must be submitted to the employee within five (5) working dates of receipt of request.

In order for a review to be conducted at each level, the employee must submit a written request to successive levels of management within (5)

workings days of receipt of a determination.

In any event, the completed document should be received by Human Resources within established timeframes.

**TRACKING AND
RECORD
KEEPING**

Human Resources tracks performance appraisals and will provide the Department Director the names of employees whose performance reviews are thirty (30) days past due. The City Manager will be given this information when reviews are sixty (60) days overdue.

The original Employee Performance Management Review is maintained in the personnel files in Human Resources. Human Resources will conduct an administrative audit to ensure the document is complete.

Access to an employee's Performance Management Review is limited to: the employee; designated Human Resources staff; designated Legal staff; a designated representative of the employee (in the employee's presence); supervisors in the employee's line of supervision; or an organizational hiring authority who is considering the employee's record in relation to an actual job posting.

Distribution of copies

After all required signatures are obtained, the document is distributed as follows:

- original to Human Resources;
- copy maintained at the supervisor and/or division/office level; and
- copy to employee.

Retention

Employee personnel files are confidential and are maintained in accordance with

State laws and regulations. However, the performance review document is subject to the Public Information Act.

**RELATED
POLICIES AND
PROCEDURES**

**EFFECTIVE
DATE**

November 9, 2000

8.07 TRAVEL

PURPOSE

To establish travel policies intended to facilitate City staff's ability to meet the goal of service excellence, and to establish a policy that meets the Internal Revenue Service's published guidance regarding the requirements of accountable travel reimbursement plans. Detail information regarding modes of travel, lodging, reimbursements, meals and other travel related information and procedures is contained in the City's Travel Procedures Manual.

POLICY

Employees who travel on official City business or to promote the interest of the City are to be reimbursed for necessary and reasonable travel-related expenses. Employees must always have as their goal the maintenance and/or improvement of City operations. The nature of such travel includes attendance at professional association meetings, representing the City at various governmental and/or regulatory bodies, participating in professional development educational activities, and involvement with other agencies performing similar tasks.

- **Traveling away from home** is defined as duties which require an employee to be away from the general area of his/her tax home substantially longer than an ordinary day's work and the employee needs to sleep or rest to meet the demands of his/her work while away from home. This travel must be authorized in advance in accordance with the City's Travel Procedures Manual. Travel advances or travel reimbursements are based upon the most economical conveyance that is reasonably available.
- **Local Travel** is defined as travel to and from an employee's home during the same day. As a general rule, reimbursement for meals related to Local Travel is not allowed. If unusual circumstances arise where meal reimbursement and mileage for Local Travel is necessary, reimbursement may be made in accordance with the City's Travel Procedures Manual.

AUTHORIZATION

Prior approval is an integral part of the travel policy. Employees who travel on City business and incur expenses are eligible to receive expense reimbursement subject to the prior approval in accordance with the City's Travel Procedures Manual. Emergencies or required weekend trips where it is impractical to get prior approval may be an exception.

RESPONSI- BILITIES

The City Manager is responsible for approving and authorizing the City's Travel Procedures Manual and any revisions to the manual. The Finance Director and the Human Resources Director are responsible for advising the City Manager regarding the content of the Travel

ADVANCEMENTS

Procedures Manual and any necessary revisions.

Departments are responsible for:

- Reviewing established criteria to verify requested travel is for legitimate City business.
- Coordinating the completion of the Reconciliation Form with the Finance Department and the traveling employee upon return from travel.
- Confirming funds are available for the requested travel.
- Designating an employee authorized to approve travel.
- Verifying that the trip report correctly states the dates, place and business purpose of travel.

Employee is responsible for:

- Complying with established criteria and instruction in applicable Travel Procedures Manual.
- Using reasonable judgment in the selection of transportation and lodging.
- Completing and furnishing any required documentation to support travel.

Finance Department is responsible for:

- Developing and maintaining a Travel Procedures Manual that is consistent with applicable IRS standards and procedures.
- Processing properly completed travel requests, requests for travel advance, requests for reimbursements, and travel reconciliation.

Travel advances may be made in accordance with the Travel Procedures Manual.

REIMBURSEMENT

Travel reimbursements may be made in accordance with appropriate Internal Revenue Service (IRS) and General Service Administration (GSA) publications and the City's Travel Procedures Manual. A Travel Request must be submitted in accordance with the Travel Procedures Manual.

Lodging - Reimbursement is based on the actual costs (including hotel-motel occupancy tax).

Meal Per-diem - Under the per-diem method, employees may be

allowed meals and incidental expenses (M&IE) at the specified rates allowed in IRS Publication 1542 for the destination of travel.

M&IE Reimbursement – M&IE may be reimbursed as follows:

- Day of Departure – $\frac{3}{4}$ of the M&IE per-diem rate
- Day of Return – $\frac{3}{4}$ of the M&IE per-diem rate.
- All other days will be at the full M&IE per-diem rate.

Transportation – City employees should select the most economical and practical mode of transportation when traveling on City business.

Rental Vehicles – Rental vehicles should be used when it is the most economical mode of travel. In cases where a rental car is used, optional insurance coverage shall not be purchased.

City Owned Vehicles – **Where practical, City vehicles may be used for local travel.**

Privately Owned Vehicles (POV) – If a POV is used, the City may reimburse employees at a rate not to exceed those allowed under current IRS rules as administrated by the General Serviced Administration (GSA). Employees shall report the shortest distance between points of departure and destinations for all travel. The total reimbursement will be consistent with the most economical mode of transportation. Travel between an employee's residence and the City offices is not eligible for reimbursement. POV travel must be approved by the Department.

Air Transportation - Where air transportation is the most appropriate mode of travel, the City will reimburse for the most economical class.

PROHIBITED REIMBURSEMENTS

Costs of personal entertainment, spouse's expenses, amusements, alcoholic beverages, traffic citations, personal items or illegal activities will not be reimbursed. Expenses due to vacations or personal trips in conjunction with City travel are not reimbursable. Adequate travel time is allowed, but travel expenses are not paid for absences not required by City business.

EXCEPTIONS ENFORCEMENT

- Employees who travel in a City-owned vehicle should use the fuel card provided with that vehicle. When traveling out of town in a City-owned vehicle, employees will be reimbursed for the documented actual cost of fuel, oil, or other expenses related to the safe operation of the vehicle.

RELATED

- When two or more employees travel in a personal automobile, only one

**POLICIES AND
PROCEDURES**

EFFECTIVE

DATE

employee will receive per-mile or other automobile reimbursements.

Fraudulent claims or failure to provide required documentation supporting travel, travel advances, claimed expenses, or reimbursements within required time frame(s) may result in one or more of the following actions:

- Denial of any and all claimed travel expenses, advancements and reimbursements resulting in traveler paying or reimbursing the City for all travel costs.
- Payroll deduction as authorized by the traveler when requesting travel, travel advances, or reimbursements.
- Disciplinary action, up to and including termination.

7.05.01 Official Use of City Vehicles

8.02 Training

Internal Revenue Service Publication 463

Internal Revenue Service Publication 535

Internal Revenue Service Publication 1542

Internal Revenue Service Publication 15-B

Finance Department Travel Procedures Manual

General Services Administration POV Mileage Reimbursement Rates

General Services Administration M&IE Prorated Rates

November 9, 2000

Revised: 2008

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9.01 GRIEVANCE PROCEDURE

PURPOSE

To provide a procedure whereby employees may resolve problems, disputes or complaints concerning the terms or conditions of their employment.

POLICY

The City recognizes that every employee has the right to be treated fairly in matters arising from employment in the City. Therefore, each employee should have the opportunity to be heard fully any time his/her right to fair treatment has been violated. This grievance process is designed to help reduce personnel dissatisfaction, increase morale, identify problems in the organization and increase the positive perception employees have of their employment with the City.

Employees are always encouraged to address issues informally at the lowest possible level in order to seek resolution. When an employee believes the issues that have been discussed informally have not been resolved regarding the terms and conditions of his/her employment, he or she may initiate proceedings as specified in this policy in order to resolve those matters.

This grievance procedure is not applicable to matters for which an appeal process is otherwise provided and may not be used in addition to or in replacement of those processes.

eligibility

All employees excluding temporaries.

CONDITIONS AND LIMITATIONS

Under no circumstances shall more than one procedure be used to redress the same grievance, although use of this or other procedures does not preclude employees from seeking legal remedies as appropriate.

The City retains the right under applicable laws and regulations to direct employees in the performance of their duties; to take the necessary means to achieve the proper ends under emergency situations; and to hire, promote, transfer and assign employees as well as to suspend, demote, discharge or take disciplinary action against such employees when necessary.

A decision may be made at any step in the grievance procedure that the matter involved is not grievable.

Matters which may be grieved include, but are not limited to:

- Safety issues;

- Inequitable distribution of work; or
- Inequitable/inappropriate treatment

Matters which may not be grieved include, but are not limited to:

- Compensation;
- Work methods;
- Equipment;
- Hours of work;
- Services provided;
- Staffing levels; or
- Allocation to classification
- Disciplinary action

The scope of the employee grievance must:

- clearly define the situation in question through a written allegation of the specific wrongful act or situation, the harm done and the facts upon which it is based;
- arise out of an act or failure to act that directly relates to the working conditions of the eligible employee or to the employee's employment relationship; and
- state such relief sought that is within the power of the department to grant.

A formal grievance may be filed only after implementation of the grievable action. However, it must be filed no greater than 14 calendar days following the grievable action.

PROCEDURE

The grievance procedure consists of three steps, each of which must be utilized in turn before progressing to the next step unless otherwise specified in this policy.

Step one - Immediate supervisor. An employee who believes that elements of his/her working environment are unsatisfactory and can be made more effective should take the following measures:

- Discuss the specific problem with his immediate supervisor. A problem that results from a specific event or action must be presented in writing within fourteen calendar days. The supervisor's

decision regarding the matter shall be rendered in writing to the employee within fourteen calendar days following the conference. The employee has the right to the presence of a representative of his choosing during this conference.

- If the problem cannot be resolved through the conference and/or the employee wishes to document the grievance for further action, he may submit a formal written grievance to his intermediate level supervisor. Employees who do not have an intermediate level supervisor may submit their grievance directly to their Department Director.

Step two - Intermediate level supervisor. Grievances submitted to an intermediate level supervisor shall be in writing in the designated format. The complaint must:

- Be submitted within fourteen calendar days following receipt of the immediate supervisor's response;
- Include a copy of the immediate supervisor's decision and justification;
- Specify the employee's grievance and the specific remedy requested;
- Provide a response to the immediate supervisor's decision; and
- Be responded to by the intermediate level supervisor within fourteen days of receipt.

Step three - Department Director. If the matter is not satisfactorily resolved in step two, the problem may be presented in writing to the Department Director, together with a copy of all preceding responses, within fourteen calendar days following the response of the employee's intermediate supervisor. The Department Director shall meet with the affected employee and a representative of his choosing, if so desired. A written response will be provided to the employee within fourteen calendar days after receipt of the appeal from the employee. The decision of the Department Director is final.

WRITTEN RESPONSES TO GRIEVANCES

Written responses to grievances shall include the following:

- notation of the time, date and person who received the grievance;
- analysis of the facts or allegation in the grievance;
- affirmation or denial of the allegations; and
- identification of the remedies or adjustments, if any, to be made.

COORDINATION OF GRIEVANCE PROCEDURES

The Department Director should designate an employee who shall coordinate the department's grievance procedures as established within these guidelines. This employee shall also be responsible for the following:

- maintaining and controlling all records relating to grievances in a manner that will ensure their confidentiality;
- preparing written reports analyzing grievances filed as directed by the Department Director; and

	<ul style="list-style-type: none"> · forwarding a complete packet of all records relating to the grievance to Human Resources for review.
TIME LIMITS	<p>If a grievance is not submitted by the affected employee within the specified time limits provided in this policy, the grievance will not be considered. If the department fails to process a grievance within the time limits specified, the employee may initiate action by proceeding to the next step. However, employees are encouraged to make a reasonable attempt to determine the reason for the delay.</p> <p>Time extensions - All times specified in this procedure are subject to scheduled vacations, sick leave or other authorized leave necessary for the proper conduct of departmental business. Additionally, involved parties may agree to a mutual time waiver by providing written notice to the other parties prior to the expiration of the time limit established for that step.</p>
RETALIATION	<p>Retaliation against an employee for attempting to resolve a grievance, filing a grievance or for participating in an attempt to resolve a grievance will not be tolerated. Employees shall report such reprisal and/or retaliation to the Department Director and/or Human Resource Director. Supervisors will take appropriate corrective action to address any violations of law or policy that are discovered in the course of an attempt to resolve a grievance.</p>
WITHDRAWAL OF GRIEVANCE	<p>At any time during the grievance process, the employee may withdraw the grievance by making written notification of the withdrawal available to all parties involved in the grievance process.</p>
RELATED POLICIES AND PROCEDURES	
EFFECTIVE DATE	<p>November 9, 2001</p>

9.02 COMPLAINT PROCEDURE (Discrimination/Harassment)

PURPOSE	<p>To establish procedures and explain the options and resources available for employees to resolve complaints of discrimination/harassment.</p>
POLICY	<p>The City takes all employee complaints seriously. Employees and supervisors should make every effort to resolve problems or issues informally through discussion and consultation. If these efforts do not resolve the problems or issues, the employee may initiate proceedings as specified in this policy in order to resolve those matters.</p>
ELIGIBILITY	<p>All employees are eligible to file a discrimination complaint.</p>

**HUMAN
RESOURCES**

Human Resources is responsible for providing consultation and guidance to employees. Consultation includes interpretation of Human Resources Policies and Federal, State and Local employment law issues.

SUPERVISORS

All supervisors should be familiar with the complaint policy and have primary responsibility for resolving disputes. Employees are encouraged to seek resolution of a complaint through the chain of command.

All supervisors are responsible for promptly addressing complaints of discriminatory conduct or harassment filed by or against their employees. Supervisors must ensure immediate and appropriate action is taken if any allegation is made or a situation involving discriminatory conduct or harassment is brought to their attention.

Supervisors have an affirmative duty to respond as soon as he or she knows that discriminatory conduct may be occurring, regardless of whether or not a formal complaint has been filed.

Supervisors must notify the Human Resources Director immediately upon becoming aware of a situation in which discriminatory conduct may have occurred.

Supervisors shall take immediate action to end discriminatory conduct thus preventing further harassment or retaliation while the investigation proceeds. Examples of such action may range from temporarily reassigning the employees involved pending the investigation, to immediately place one or more of the parties involved on administrative leave, if needed.

**EMPLOYEE
PROTECTION**

Retaliation against an employee for attempting to resolve a dispute, filing a complaint or for participating in any way in an investigation of a complaint will not be tolerated. Employees shall report such reprisal and/or retaliation to the Department Director and/or Human Resource Director. Supervisors will take appropriate corrective action to address any violations of law or policy that are discovered in the course of an investigation.

**CONFIDENTI-
ALITY**

Confidentiality shall be maintained by all parties involved in a complaint and in the investigation of a complaint. Each allegation is documented and retained in a confidential file within Human Resources.

All complaints are addressed in a confidential manner. However, confidential information may be subject to disclosure in the following instances.

Confidential information may be subject to disclosure in the event of legal proceedings or as otherwise required by law.

Information regarding an investigation may be released to persons within the City on a “need to know” basis (e.g. the parties’ supervisors).

RECORDS

Documents related to a complaint or an investigation of a complaint are maintained in separate, confidential Human Resources files. Only documents reflecting disciplinary action taken against the respondent to a complaint will be placed in the official personnel files.

DEFINITIONS

Complainant – The employee who files the complaint.

Complaint – An expression of dissatisfaction regarding employment conditions. Employment conditions include compensation, work hours, working conditions and relationships, and other issues related to employment conditions.

Discrimination Complaint – A complaint resulting from an act or event which the complainant believes occurred because of discrimination on the basis of race, color, national origin, religion, sex, age, disability or retaliation for reporting a violation of the law.

Investigator – A neutral third party who is trained to conduct a fact-finding investigation. The investigation’s purpose is to gather information by taking statements of parties and witnesses, reviewing records, conducting fact-finding conferences and reviewing City data, policies and other relevant information.

Protected Class – Those groups covered under the Texas Commission on Human Rights Act, Title VII of the Civil Rights Act, the Age Discrimination in Employment Act, and the Americans with Disabilities Act.

Respondent – The employee against whom a complaint is filed.

PROCEDURE

The following procedures are applicable to employees:

Informal Complaints The first step in the complaint procedure is for the employee to attempt to resolve the complaint by informal conference with his or her supervisor. If this conference does not result in a resolution of the problem(s) that is satisfactory to the employee, he or she may file a formal, written complaint.

Formal Complaints Formal complaints must be submitted on the Complaint Form, signed by the employee, and presented to the employee’s supervisor within 14 calendar days after the alleged complaint occurred. A statement of the specific remedy requested by the employee must be included in the written complaint.

After being presented with a written and signed complaint, the supervisor will:

- consult with his or her supervisor and/or Department Director and Human Resources;
- attempt to resolve the complaint with the employee and, if requested by the employee, with the employee's representative; and
- communicate the decision to the employee in writing within 14 calendar days after receipt of the complaint, sending a copy of the decision to the offices of the City Manager and Department Director. The Department Director must notify the Human Resources office immediately upon learning that a complaint has been filed.

If an employee whose supervisor is someone other than the City Manager receives no written decision from the supervisor within 14 calendar days from the date the written complaint was filed, or if the employee is not satisfied with the decision, he or she must file a written appeal with the Department Director within 14 calendar days from the date the complaint was received or, if no written decision is received, within 14 calendar days after the employee filed the formal, written complaint. The Department Director will:

- review the facts of the complaint;
- meet with the complainant, complainant's supervisor, and such other persons as may be necessary;
- attempt to resolve the complaint within 14 calendar days after receipt of the complaint within; and
- respond in writing to the employee by the close of the fourteenth calendar day following the date that the written appeal was received.

Maximum Time Periods At each stage of the complaint process, the time periods specified are maximums. Complaints should be dealt with promptly and written responses provided as quickly as possible, preferably within 14 calendar days in simple complaint matters.

Complaints By The Employee & Immediate Supervisor If the employee's complaint is related to or discrimination by the employee's immediate supervisor or Department Director then the initial written complaint may, at the employee's option, be submitted directly to the Human Resources office. When the respondent is a Department Director, to allow adequate time for investigation by the City Manager or the person he or she designates, the total cumulative time period which would have been allowed at the other steps in the complaints process will be the maximum time period before written resolution of the complaint is to be received by the employee. The decision of the City Manager is final.

If the employee's complaint is related to discrimination by the City Manager then the initial written complaint may, at the employee's option, be submitted directly to the Mayor, who will serve on a panel also including the City Attorney and the

Municipal Judge to hear the grievance and rule on it no later than 30 days following receipt of the complaint. The decision of the panel is final.

The process related to the resolution of complaints of sexual harassment is outlined in detail in the related policy.

**INFORMAL
RESOLUTION**

An employee must attempt to resolve disputes informally at the lowest supervisory level possible, typically the employee's immediate supervisor. Resolution must be attempted within five (5) working days of the occurrence prompting the dispute. The supervisor may require the employee to summarize the dispute in writing. If the dispute is not resolved satisfactorily, the employee should request assistance from the next supervisory level.

If the dispute is not resolved at that level, the employee must seek resolution at each supervisory level through his or her chain of command, up to the Division Director level. In instances when the dispute involves a Division Director, the employee must seek resolution at the Deputy Director level.

An employee is not required to attempt to informally resolve disputes with any supervisor if the dispute relates to allegations of discrimination on the part of that supervisor. An employee should not attempt to informally resolve disputes with any supervisor if the dispute relates to allegations of sexual harassment on the part of that supervisor. In those instances, the employee may address the issues with the next supervisor in his/her chain of command, starting with the lowest possible level of management or contact Human Resources.

**INVESTIGATION
OF THE
COMPLAINTS**

Human Resources or the Internal Affairs Detail of the Police Department investigates complaints. The role of the investigator is to gather facts regarding the complaint. The investigator will never investigate a complaint if he or she has participated in the mediation of that complaint, or the decision or action that prompted the complaint.

Human Resources/ or Internal Affairs Detail should acknowledge receipt of the complaint and contact the complainant to gather additional information within five (5) working days. Human Resources/Internal Affairs will notify the respondent that a complaint has been filed. A position statement will be requested of the respondent.

The investigator should consider only information within the scope of the complaint, but must report other information discovered during the investigation to the Human Resources Director.

The investigator will prepare a list for each party identifying witnesses interviewed and the documents reviewed. Witness identities may or may not be provided to the parties by the investigator in sexual harassment cases depending on the

circumstances surrounding the complaint.

The investigation of a complaint should be completed and the determination issued as soon as possible. In most cases, this can be accomplished within 14 days of receipt of the respondent's position statement. Throughout the investigation process, parties are encouraged to discuss remedies to the complaint issue and/or resolutions.

If an agreement is reached and approved, the complaint is resolved, the investigation ends and the case is closed. Any agreements are subject to review by Department Director, Human Resources Director and the City Attorney.

ACTION TO BE TAKEN

After reviewing the fact-finding Investigation Summary Report, the Department Director, City Manager, Supervisor and Human Resources representative meet to review the report. The investigator attends the meeting only to answer pertinent questions concerning the investigation. The committee then discusses the facts to determine what course of action is appropriate.

During the meeting, Human Resources shall provide the Department Director guidance regarding city policies, which may be applicable to the situation. The City Attorney may be called on to answer any legal standards, which are relevant to assist the Department Director in making a determination.

If the complaint is verified, the complaint will be returned to the department's chain of command for appropriate action.

APPEALS PROCEDURE

Any individual who was a party in a complaint (i.e. Respondent or Complainant) may file an appeal (level of disciplinary action only) with the City Manager.

RELATED POLICIES AND PROCEDURES

9.03 Sexual Harassment

EFFECTIVE DATE

November 9, 2001

9.03 SEXUAL HARASSMENT

PURPOSE To establish guidelines for ensuring that employees are protected and provided a workplace free of harassment and to provide recourse for an employee when their rights are violated.

POLICY The City of Round Rock is committed to providing a work environment free from harassment, offensive behavior or intimidation on the basis of a person's sex. This policy affirms the City of Round Rock's position against sexual harassment and ensures that all employees are provided a work environment free of sexual harassment, as well as to provide a procedure for reporting allegations of sexual harassment.

The City of Round Rock will ensure swift and appropriate action is taken in response to any allegation of sexual harassment. Acts of sexual harassment by any employee are prohibited. Sexual harassment on the part of an employee will result in disciplinary action up to and including termination.

DEFINITION Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and any other unwelcome verbal or physical conduct of a sexual nature, which is offensive or objectionable to the recipient and/or an observer. This includes, but is not limited to, any derogatory or suggestive verbal comments or physical conduct. Sexual harassment has occurred when:

- submission to such conduct is made either explicitly or implicitly as term or condition of an individual's employment;
- submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting an individual; and/or
- such conduct interferes with a person's work performance or creates an intimidating, hostile or offensive work environment.

A hostile work environment may also be created by non-sexual behavior directed at an individual because of their gender (e.g., using derogatory terms to refer to men or women), or sexual conversation or activity not directed at a particular individual, but which adversely affects working conditions (e.g., telling offensive jokes in the presence of others or which can be overheard by others).

Sexual harassment also includes sexually suggestive or obscene materials, such as visual materials, music, computer software or literature, which may create an offensive or hostile work environment.

Isolated incidents of sexually oriented misconduct, which is unwelcome and offensive, as well as continual or repeated incidents of such behavior, may also constitute sexual harassment.

Sexual harassment toward another person of the same sex is also strictly prohibited by this policy.

EXAMPLES

Examples of sexual harassment may include, but are not limited to:

- demanding sexual favors in exchange for favorable reviews, assignments, promotion, continued employment or promises of continued employment;
- sexual jokes, language, epithets, advances or propositions;
- verbal abuse of a sexual nature;
- graphic verbal commentary about an individual's body, sexual prowess or sexual deficiencies;
- use of sexually degrading or vulgar words to describe an individual;
- leering, whistling, touching, pinching, brushing the body, assault, coerced sexual acts, or suggestive, insulting or obscene comments or gestures;
- the display in the workplace of sexually suggestive objects, pictures, posters or cartoons;
- name calling, relating stories, gossip, comments or jokes that may be derogatory toward a particular sex;
- the display of sexually suggestive graffiti; and/or
- asking questions about sexual conduct or sexual orientation or preferences.

REPORTING

An employee should report allegations of sexual harassment to his/her immediate supervisor or the Human Resources Director, except as indicated below.

ALLEGATIONS

An employee should not attempt to informally resolve disputes with any supervisor if the dispute relates to allegations of sexual harassment on the part of that supervisor. In those instances the employee may address the issues with a supervisor in his/her chain of command, or contact Human Resources.

Supervisors are required to exercise discretion and good judgement in determining which complaints must be filed with the Human Resources Director as soon as possible after the act or event prompting the complaint has occurred. The complaint may be made in writing or orally. If the complaint is made orally, it will be reduced to writing by the Human Resources Director or designee and reviewed and approved by the complainant prior to the investigation.

EMPLOYEE

PROTECTION

Retaliation against an employee for attempting to resist sexual harassment, filing a complaint, attempting to stop sexual harassment against another employee or for participating in any way in an investigation of a sexual harassment complaint will not be tolerated. Employees should report such reprisal and/or retaliation to the

Human Resources Director. Management will take appropriate corrective action for any violations of law or policy that are discovered in the course of an investigation.

**CONFIDENTI-
ALITY**

All complaints of sexual harassment are addressed in a confidential manner. Each allegation is documented and retained in a confidential file within Human Resources.

Confidentiality shall be maintained by all parties involved in a sexual harassment complaint, or in the investigation of a sexual harassment complaint. However, confidential information may be subject to disclosure in the following instances:

Confidential information may be subject to disclosure in the event of legal proceedings or as otherwise required by law;

Information regarding an investigation of a sexual harassment incident may be released to persons within the agency on a "need to know" basis (e.g., the parties' supervisors);

The identity of the complainant and any witnesses in a sexual harassment investigation shall remain confidential unless and until disclosure of identities becomes necessary. Such disclosure may become necessary if the complainant or witnesses testify against a respondent to a sexual discrimination complaint claim that has requested a hearing pursuant to the City's appeal procedures.

RECORDS

Documents related to a sexual harassment complaint or an investigation of a sexual harassment complaint are maintained in separate, confidential Human Resources files. Such documents will not be maintained in employee personnel files. Only documents reflecting disciplinary action taken against the respondent to a complaint will be placed in personnel files.

**WHERE TO
REFER**

Questions concerning the sexual harassment policy or issues should be referred to the Human Resources Director, Teresa S. Bledsoe.

QUESTIONS

**RELATED
POLICIES AND
PROCEDURES**

9.02 Complaint Procedure

**EFFECTIVE
DATE**

November 9, 2000

10.00 SEPARATION

PURPOSE

To ensure timely and accurate processing of employees who are being removed from the City payroll and to stay consistent with positive employee relation's practices.

policy

City employees may be separated from City service through resignation, termination, retirement, lay-off, or death of the employee.

DEFINITIONS

The categories of separation are:

Resignation - A voluntary separation, including:

- Separated in good standing, the decision should be formally discussed with the supervisor and employees must give two weeks written notice including the reason for leaving. The two week notice shall be a working two weeks to provide good transition for coverage.
- An absence of two consecutive working days without authorization from supervisor.
- Failure to return from leave of absence, as arranged with the City.
- Retirement, which usually includes qualification for, benefits under the Texas Municipal Retirement System.

An employee, who resigns, with or without notice, should be asked immediately by the supervisor to submit a written resignation or to complete the voluntary resignation form. The completed notice will be forwarded to the Human Resources Department for filing in the employee's permanent record.

Termination

Under the doctrine of employment-at-will an employee may be terminated at any time with or without cause.

Disability

An employee who is unable to perform the essential job functions of the position due to medical reasons may be discharged from employment.

Deceased

The death of an employee in active employment.

PROCEDURES

Personnel Action/Position Control Change Forms

The immediate supervisor of the separated employee is responsible for initiating the Personnel Action/Position Control Change Form (PA) and designating the appropriate separation code. PAs are due to the Human Resource office with all signatures one week before separation date.

Return of Equipment, Pro Cards, Phones and Keys

Prior to the last day of work, the supervisor must obtain all City property from the separated employee.

OUT

PROCESSING

Out Processing Human Resource Department

Employees should contact the Human Resource Department for out-processing as soon as possible after the separation decision has been made.

Questionnaire

Separated employees, whether voluntary or involuntary, will be mailed an exit interview questionnaire to be completed and returned to the Human Resources Department.

Final Paycheck

- The final check will be issued with the next regular payroll after effective date of separation. Final pay for employees who are discharged will be issued within the guidelines of the Texas Payday Law. The final check will not be direct deposited.

Generally, when an employee is separated in good standing, benefit credits are lost (beyond those paid for at the time of termination) with these expectations:

- **Vested Rights Under the Texas Municipal Retirement System** - General provisions of benefits credit are specified in the summary plan description available from the Human Resources Department.

**BENEFIT
ELIGIBILITY**

Health Insurance Benefit – Extended coverage and conversion privileges of the health insurance benefit plan is provided in accordance with conditions outlined through COBRA.

Vacation – Regular status employees are eligible to be paid in full for vacation leave balances. Except as provided by State law, employees terminated for misconduct for violation of the law will not be eligible to be paid for vacation leave balances. Recommendation not to pay the amount of the vacation leave balance must be approved by the Human Resources Director and the City Attorney's office.

Sick – Current employees who were employed on or before 12/1/93 may be eligible for payment of their banked sick leave. The payment of the banked sick leave will be calculated at the employee's hourly rate as of 12/1/93.

EXIT INTERVIEW

Exit interviews are designed to solicit constructive feedback to improve effectiveness and an opportunity for the City to get a look at itself through the eyes of its former employees. Areas that need improvement may be identified and modified to help create a better work environment.

**RELATED POLICIES
AND PROCEDURES
EFFECTIVE DATE**

November 9, 2000